

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
George Miller OF California, OR HIS
DESIGNEE, DEBATABLE FOR 20 MINUTES:

21 REVISED

**AMENDMENT TO H.R. 4137, AS REPORTED
OFFERED BY MR. GEORGE MILLER OF
CALIFORNIA
Manager's Amendment**

Page 12, after line 16, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

1 (1) in subsection (a)(1), by inserting before the
2 semicolon the following: “, or persons who meet the
3 requirements of section 484(d)(3)”;

Page 15, line 2, strike “and eligible” and insert “or eligible”.

Page 17, line 23, strike “1988))” and insert “1988)); as updated by the Secretary from time to time and published in the Federal Register.”.

Page 18, after line 3, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

4 “(19) DISCONNECTED STUDENTS.—The term
5 ‘disconnected students’ means students who are—

1 “(A) homeless children and youths, as such
2 term is defined in section 725 of the McKinney-
3 Vento Homeless Assistance Act (42 U.S.C.
4 11434a);

5 “(B) orphans, in foster care, or wards of
6 the court, or who were in foster care or were
7 wards of the court until the students reached
8 the age of 16;

9 “(C) adjudicated or convicted juveniles, or
10 who were adjudicated juveniles until the juve-
11 niles reached the upper age of juvenile court ju-
12 risdiction, or who were convicted juveniles who
13 completed the sentence for the juvenile convic-
14 tion prior to reaching the age of majority; or

15 “(D) pregnant or parenting youth.

Page 37, beginning on line 22, strike “The Sec-
retary” and insert “Not later than 90 days after the Sec-
retary receives the information required under paragraph
(2), the Secretary”.

Page 39, beginning on line 7, strike subsection (a)
and insert the following:

16 “(a) MAINTENANCE OF EFFORT REQUIRED.—A
17 State shall provide—

1 “(1) for public institutions of higher education
2 in such State for any academic year beginning on or
3 after July 1, 2008, an amount which is equal to or
4 greater than the average amount provided for non-
5 capital and non-direct research and development ex-
6 penses or costs by such State to such institutions of
7 higher education during the 5 most recent preceding
8 academic years for which satisfactory data are avail-
9 able; and

10 “(2) for private institutions of higher education
11 in such State for any academic year beginning on or
12 after July 1, 2008, an amount which is equal to or
13 greater than the average amount provided for stu-
14 dent financial aid for paying costs associated with
15 postsecondary education by such State to such insti-
16 tutions during the 5 most recent preceding academic
17 years for which satisfactory data are available.

Page 39, line 23, after “precipitous” insert “and un-
foreseen”.

Page 41, beginning on line 1, strike section 109
through page 54, line 24, and insert the following:

1 **SEC. 109. TRANSPARENCY IN COLLEGE TUITION FOR CON-**
2 **SUMERS.**

3 (a) AMENDMENT TO TITLE I.—Part C of title I (20
4 U.S.C. 1015) is amended by adding after section 132 (as
5 added by section 108 of this Act) the following new sec-
6 tion:

7 **“SEC. 133. TRANSPARENCY IN COLLEGE TUITION FOR CON-**
8 **SUMERS.**

9 “(a) COLLEGE AFFORDABILITY AND TRANSPARENCY
10 LISTS.—Effective July 1, 2011, the Secretary shall annu-
11 ally update and make publicly available on the College
12 Navigator website, in a manner that is sortable by State,
13 the following lists:

14 “(1) A list of the top 5 percent of the institu-
15 tions in each category (as defined by subsection (b))
16 that have the highest tuition and fees.

17 “(2) A list of the top 5 percent of the institu-
18 tions in each such category that have the lowest tui-
19 tion and fees.

20 “(3) A list of the top 5 percent of the institu-
21 tions in each such category that have the largest in-
22 crease, expressed as a percentage change, in their
23 tuition and fees over the most recent three year pe-
24 riod for which satisfactory data is available.

1 “(b) CATEGORIES OF INSTITUTIONS.—The following
2 categories shall be used in compiling the information in
3 subsection (a):

4 “(1) 4-year public institutions of higher edu-
5 cation.

6 “(2) 4-year private, nonprofit institutions of
7 higher education.

8 “(3) 4-year private, for-profit institutions of
9 higher education.

10 “(4) 2-year public institutions of higher edu-
11 cation.

12 “(5) 2-year private, nonprofit institutions of
13 higher education.

14 “(6) 2-year private, for-profit institutions of
15 higher education.

16 “(7) Less than 2-year public institutions of
17 higher education.

18 “(8) Less than 2-year private, nonprofit institu-
19 tions of higher education.

20 “(9) Less than 2-year private, for-profit institu-
21 tions of higher education.

22 “(10) All types of institutions described in
23 paragraphs (1) through (9).

24 “(c) INSTITUTION REPORTS.—If an institution of
25 higher education appears on the list described in sub-

1 section (a)(3), the institution or a representative associa-
2 tion designated by the institution shall submit to the Sec-
3 retary the following information:

4 “(1) A description of the factors contributing to
5 the increase in the institution’s tuition and fees, in-
6 cluding an identification of the major areas in the
7 institution’s budget with the greatest cost increases.

8 “(2) If determinations of tuition and fee in-
9 creases are not within the exclusive control of the in-
10 stitution, a description of the agency or instrumen-
11 tality of State government or other entity that par-
12 ticipates in such determinations, and the authority
13 exercised by such agency, instrumentality, or entity.

14 “(d) **QUALITY EFFICIENCY TASK FORCES.**—Each in-
15 stitution that is required to submit information by sub-
16 section (c) shall establish a quality-efficiency task force
17 to—

18 “(1) review the operations of such institution;

19 “(2) analyze institutional operating costs in
20 comparison with such costs at other institutions
21 within the same category of institutions;

22 “(3) identify areas where, in comparison with
23 other institutions in such category, the institution
24 operates more expensively to produce a similar re-
25 sult;

1 “(4) conduct an in-depth analysis of such iden-
2 tified areas for cost reduction opportunities; and

3 “(5) submit a report to the Secretary and the
4 institution on the results of the review and analysis
5 conducted under this subsection.

6 “(e) INFORMATION TO THE PUBLIC.—The Secretary
7 shall compile the information submitted under subsections
8 (c) and (d) and shall submit an annual report summa-
9 rizing such information to the authorizing committees and
10 publish such report on the College Navigator website.

11 “(f) EXEMPTIONS.—An institution shall not be
12 placed on the list required under subsection (a)(3) and
13 shall not be subject to the reporting in subsection (c) if,
14 for the 3-year interval described in subsection (a)(3) the
15 institution meets the following criteria:

16 “(1) With respect to the category of institutions
17 described in subsection (b) to which the institution
18 belongs, the computed price of the institution is in
19 the lowest quartile of institutions within such cat-
20 egory, as determined by the Secretary, during the
21 last year of such 3-year interval.

22 “(2) The dollar amount of the institution’s in-
23 crease in its full price, as computed under subsection
24 (a)(3), is less than \$500 for such 3-year interval.

1 “(g) STATE HIGHER EDUCATION APPROPRIATIONS
2 CHART.—The Secretary shall annually report on the Col-
3 lege Navigator website, in charts for each State—

4 “(1) a comparison of—

5 “(A) the percentage change in State ap-
6 propriations per full-time equivalent student in
7 each public institution of higher education in
8 the State for each of the 5 most recent pre-
9 ceding academic years; to

10 “(B) the percentage change in tuition and
11 fees for each public institution of higher edu-
12 cation in the State for each of the 5 most re-
13 cent preceding academic years; and

14 “(2) the total amount of need-based and merit-
15 based aid provided by the State to full-time equiva-
16 lent students attending an institution of higher edu-
17 cation in the State.

18 “(h) AVAILABILITY OF NET PRICE INFORMATION.—

19 “(1) NET PRICE.—In this section, the term ‘net
20 price’ means the average yearly tuition and fees ac-
21 tually charged to a full-time undergraduate student
22 receiving student aid at an institution of higher edu-
23 cation, after deduction of any discounts and Federal
24 and State aid, and any other institutional aid, that
25 reduce the full price of tuition and fees at the insti-

1 tution, as determined in accordance with regulations
2 prescribed by the Secretary.

3 “(2) NET PRICE CALCULATOR.—

4 “(A) DEVELOPMENT.—Not later than 1
5 year after the date of enactment of the College
6 Opportunity and Affordability Act of 2007, the
7 Secretary shall, in consultation with institutions
8 of higher education, develop a net price calcu-
9 lator to help students, families, and consumers
10 determine the net price of an institution of
11 higher education. The calculator shall be devel-
12 oped in a manner that permits students to de-
13 termine an estimate of their individual net price
14 of attendance for an institution.

15 “(B) USE OF NET PRICE CALCULATOR BY
16 INSTITUTIONS.—Not later than 3 years after
17 the date of enactment of the College Oppor-
18 tunity and Affordability Act of 2007, each insti-
19 tution of higher education that receives Federal
20 funds under this Act shall adopt and make
21 available for use on the institution’s website the
22 net price calculator developed under subpara-
23 graph (A) to help students, families, and other
24 consumers determine the net price of such insti-
25 tution of higher education.

1 “(i) POSTSECONDARY EDUCATION PRICE INDICES.—
2 Not later than 1 year after the date of enactment of the
3 College Opportunity and Affordability Act of 2007, the
4 Bureau of Labor Statistics, in consultation with the Com-
5 missioner of Education Statistics and representatives of
6 institutions of higher education, shall develop, for inclu-
7 sion in the higher education pricing summary page re-
8 quired under subsection (j)(3), postsecondary education
9 price indices that accurately reflect the annual change in
10 tuition and fees for undergraduate students in the cat-
11 egories of institutions described in subsection (b). Such
12 indices shall be updated annually. Prior to the completion
13 of the postsecondary education price indices, the Secretary
14 is authorized to use an alternative, comparable index or
15 indices.

16 “(j) CONSUMER COST INFORMATION.—

17 “(1) INFORMATION FROM INSTITUTIONS.—Not
18 later than 1 year after the date of enactment of the
19 College Opportunity and Affordability Act of 2007,
20 the Secretary shall post on the College Navigator
21 website and make available to institutions of higher
22 education, students, families, and other consumers,
23 in a consumer-friendly manner, the following infor-
24 mation about each institution of higher education for

1 the most recent academic year for which the Sec-
2 retary has available data:

3 “(A) A statement of the institution’s mis-
4 sion and specialties.

5 “(B) Total number of undergraduate stu-
6 dents who applied, were admitted, and enrolled
7 at the institution.

8 “(C) Where applicable, reading, writing,
9 mathematics, and combined scores on the SAT
10 or ACT for the middle 50 percent range of the
11 institution’s freshman class.

12 “(D) Enrollment of full-time, part-time,
13 and transfer students at the institution, at the
14 undergraduate and (where applicable) graduate
15 levels.

16 “(E) Percentage of male and female un-
17 dergraduate students enrolled at the institution.

18 “(F) Percentage of enrolled undergraduate
19 students from the State in which the institution
20 is located, from other States, and from other
21 countries.

22 “(G) Percentage of enrolled undergraduate
23 students at the institution by race and ethnic
24 background.

1 “(H) Percentage of enrolled undergraduate
2 students at the institution registered with the
3 office of disability services (or equivalent de-
4 partment) as students with disabilities.

5 “(I) Retention rates for full-time and part-
6 time first-time, first-year undergraduate stu-
7 dents enrolled at the institution.

8 “(J) Average time to degree or certificate
9 completion for first-time, first-year under-
10 graduate students enrolled at the institution.

11 “(K) Percentage of enrolled undergraduate
12 students who graduate within 2 years (in the
13 case of 2-year institutions), and 4, 5, and 6
14 years (in the case of 2-year and 4-year institu-
15 tions), including by income category, as defined
16 in paragraph (4).

17 “(L) Number of students who obtained a
18 certificate or an associates, bachelors, masters,
19 or doctoral degree at the institution.

20 “(M) Undergraduate major areas of study
21 with the highest number of degrees awarded.

22 “(N) The student-faculty ratio, and num-
23 ber of full-time, part-time, and adjunct faculty,
24 and graduate teaching and research assistants

1 with instructional responsibilities, at the institu-
2 tion.

3 “(O) Percentage of faculty at the institu-
4 tion with the highest degree in their field.

5 “(P) Percentage change in total price in
6 tuition and fees and the net price for an under-
7 graduate at the institution in each of the 3
8 most recent preceding academic years.

9 “(Q) Total average annual cost of tuition
10 and fees, room and board, and books and other
11 related costs for an undergraduate student en-
12 rolled at the institution, for—

13 “(i) full-time undergraduate students
14 living on campus;

15 “(ii) full-time undergraduate students
16 living off campus; and

17 “(iii) in the case of students attending
18 a public institution of higher education,
19 such costs for in-State and out-of-State
20 students living on and off campus.

21 “(R) Average annual grant amount (in-
22 cluding Federal, State, and institutional aid)
23 broken down by income category as defined in
24 paragraph (4) for a student enrolled at the in-
25 stitution.

1 “(S) Average annual amount of Federal
2 student loans, and other loans provided through
3 the institution, to undergraduate students en-
4 rolled at the institution.

5 “(T) Total annual grant aid available to
6 undergraduate students enrolled at the institu-
7 tion, from the Federal Government, a State, the
8 institution, and other sources.

9 “(U) Percentage of undergraduate stu-
10 dents enrolled at the institution receiving Fed-
11 eral, State, and institutional grants, student
12 loans, and any other type of student financial
13 assistance provided publicly or through the in-
14 stitution, such as Federal work-study funds.

15 “(V) Number of students receiving Federal
16 Pell Grants at the institution.

17 “(W) Average net price of the institution
18 calculated for each income category, as defined
19 in paragraph (4), for each of the 3 most recent
20 preceding academic years.

21 “(X) Percentage of first-year under-
22 graduate students enrolled at the institution
23 who live on campus and off campus.

24 “(Y) The institution’s cohort default rate,
25 as defined under section 435(m).

1 “(Z) Information on the policies of the in-
 2 stitution related to transfer of credit from other
 3 institutions.

4 “(AA) Information on campus safety re-
 5 quired to be collected under section 485(f).

6 “(BB) Links to the appropriate sections of
 7 the institution’s website that provide informa-
 8 tion on student activities offered by the institu-
 9 tion, such as intercollegiate sports, student or-
 10 ganizations, study abroad opportunities, intra-
 11 mural and club sports, specialized housing op-
 12 tions, community service opportunities, cultural
 13 and arts opportunities on campus, religious and
 14 spiritual life on campus, and lectures and out-
 15 side learning opportunities.

16 “(CC) Links to the appropriate sections of
 17 the institution’s website that provide informa-
 18 tion on services offered by the institution to
 19 students during and after college, such as in-
 20 ternship opportunities, career and placement
 21 services, and preparation for further education.

22 “(2) DATA COLLECTION.—The Commissioner of
 23 Education Statistics shall continue to redesign the
 24 relevant parts of the Integrated Postsecondary Edu-
 25 cation Data System to include additional data as re-

1 quired by this subsection and to continue to improve
2 the usefulness and timeliness of data collected by
3 such System in order to inform consumers about in-
4 stitutions of higher education.

5 “(3) HIGHER EDUCATION PRICING SUMMARY
6 PAGE.—The Secretary shall make publicly available
7 on an annual basis, in a sortable and searchable
8 electronic format on the College Navigator website,
9 a list of all institutions of higher education partici-
10 pating in aid programs under title IV of this Act
11 that includes for each such institution:

12 “(A) The undergraduate tuition and fees
13 for the upcoming academic year.

14 “(B) The average annual net price by in-
15 come category, as defined in paragraph (4),
16 over the 3 most recent preceding academic
17 years.

18 “(C) The average annual percentage
19 change and dollar change in such institution’s
20 tuition and fees over the 3 most recent pre-
21 ceding academic years.

22 “(D) The average annual percentage
23 change and dollar change in such institution’s
24 per student instructional spending over the 3
25 most recent preceding academic years.

1 “(E) The difference between the average
2 annual percentage change in such institution’s
3 tuition and fees over the 3 most recent pre-
4 ceding academic years and the postsecondary
5 education price indices, as defined in subsection
6 (i).

7 “(F) A link to the institution information
8 on the College Navigator website, as detailed in
9 paragraph (1).

10 “(4) INCOME CATEGORIES.—

11 “(A) IN GENERAL.—For purposes of re-
12 porting the information required under this
13 subsection and compiling information for the
14 net price calculator, the following income cat-
15 egories shall apply:

16 “(i) \$0–35,000;

17 “(ii) \$35,001–70,000;

18 “(iii) \$70,001–105,000;

19 “(iv) \$105,001–140,000; and

20 “(v) \$140,000 and up.

21 “(B) ANNUAL ADJUSTMENT.—The Sec-
22 retary shall make available to all institutions of
23 higher education participating in an aid pro-
24 gram under title IV of this Act, on an annual
25 basis, the annual inflation adjustment for the

1 income categories set forth in subparagraph
2 (A).

3 “(C) IMPRACTICABLE REPORTING EXEMP-
4 TION.—An institution that is required by this
5 subsection to report any information pertaining
6 to institutional aid by income category is not
7 required to report such information to the ex-
8 tent that reporting such information by income
9 category is impractical or impossible because in-
10 formation concerning income is not collected
11 from the recipients of such institutional aid.

12 “(k) STUDENT AID RECIPIENT SURVEY.—

13 “(1) SURVEY REQUIRED.—The Secretary shall
14 conduct a survey of student aid recipients under title
15 IV on a regular cycle and State-by-State basis, but
16 not less than once every 4 years—

17 “(A) to identify the population of students
18 receiving Federal student aid;

19 “(B) to describe the income distribution
20 and other socioeconomic characteristics of fed-
21 erally aided students;

22 “(C) to describe the combinations of aid
23 from State, Federal, and private sources re-
24 ceived by students from all income groups;

1 “(D) to describe the debt burden of edu-
2 cational loan recipients and their capacity to
3 repay their education debts, and the impact of
4 such debt burden on career choices;

5 “(E) to describe the role played by the
6 price of postsecondary education in the deter-
7 mination by students of what institution to at-
8 tend; and

9 “(F) to describe how the increased costs of
10 textbooks and other instructional materials af-
11 fects the costs of postsecondary education to
12 students.

13 “(2) SURVEY DESIGN.—The survey shall be
14 representative of full-time and part-time, under-
15 graduate, graduate, professional, and current and
16 former students in all types of institutions, and de-
17 signed and administered in consultation with the
18 Congress and the postsecondary education commu-
19 nity.

20 “(3) DISSEMINATION.—The Commissioner of
21 Education Statistics shall disseminate the informa-
22 tion resulting from the survey in both printed and
23 electronic form.

1 “(1) REGULATIONS.—The Secretary is authorized to
2 issue such regulations as may be necessary to carry out
3 the provisions of this section.”.

4 (b) SENSE OF CONGRESS REGARDING CONSUMER IN-
5 FORMATION ABOUT INSTITUTIONS OF HIGHER EDU-
6 CATION.—

7 (1) FINDINGS.—Congress finds that—

8 (A) the diversity of the American higher
9 education systems allows each student to find
10 the right “fit” for his or her interests and tal-
11 ents;

12 (B) while the variety of options available is
13 one of the great strengths of our system of
14 higher education, it can also be overwhelming
15 when students and their families begin a college
16 search;

17 (C) there is a massive amount of informa-
18 tion available about institutions of higher edu-
19 cation, but it is often difficult to navigate or is
20 scattered among several sources;

21 (D) the data collected and available is
22 comprehensive; however, there is a need to keep
23 consumer needs in mind in packaging the infor-
24 mation that already exists and presenting the

1 information in a simple, consumer-friendly for-
2 mat;

3 (E) in particular, prospective students and
4 their families want a succinct overview of com-
5 mon key information about institutions, with
6 easy access to more in-depth institution-specific
7 information about campus life and the complete
8 college experience; and

9 (F) a variety of efforts have been initiated
10 by colleges and universities and others to pro-
11 vide web-based, consumer-friendly information
12 geared to prospective students and their fami-
13 lies.

14 (2) SENSE OF CONGRESS.—It is the sense of
15 Congress that institutions of higher education should
16 participate in efforts to provide concise, easily acces-
17 sible, on-line consumer information to prospective
18 students and families that is consistent across insti-
19 tutions while permitting opportunities for more in-
20 depth exploration of specific institutions.

Page 59, line 1, after “writing” insert “(which may include electronic communications)”.

Page 59, line 9, after “textbook” insert “in the preceding 10 years”.

Page 74, line 18, strike “August 1 of each year” and insert “March 1 of each year, or such other date determined by the Secretary,”.

Page 80, beginning on line 10, strike clause (i) and insert the following:

1 “(i) Standard material, activities, or
2 programs on issues related to a loan, de-
3 fault aversion, default prevention, or finan-
4 cial literacy, such as a brochure, a work-
5 shop, or training.

Page 81, line 4, strike “Exit” and insert “Entrance and exit”.

Page 81, line 6, strike “exit” and insert “entrance and exit”.

Page 81, after line 21, insert the following:

6 “(vi) State education grants, scholar-
7 ships, or financial aid funds administered
8 by or on behalf of a State.

Page 88, line 11, strike “\$25,000” and insert “\$27,500”.

Page 88, line 13, after “Secretary may” insert “impose a civil penalty in an amount of not more than \$27,500, or”.

Page 97, line 21, insert before the semicolon the following: “, and includes Migrant and Seasonal Head Start and American Indian/Alaska Native Head Start”.

Page 97, line 24, after “program” insert “(including a program authorized under section 619 or part C of the Individuals with Disabilities Education Act)”.

Page 110, line 25, strike “or”; on page 111, line 14, strike the period and insert “; or’ ”; and after line 14 insert the following new subparagraph:

1 “(C) whose participants include current
2 teachers who seek ongoing professional develop-
3 ment in the subject matter knowledge in which
4 the teacher is assigned to teach; and

5 “(D) that requires the faculty of arts and
6 sciences of the partner institution to lead col-
7 laborative seminars for such participants for
8 the purpose of—

9 “(i) improving student learning;

10 “(ii) enhancing the quality of teaching
11 and strengthening subject matter mastery
12 and the pedagogical skills of current teach-

1 ers through continuing professional devel-
2 opment; and
3 “(iii) developing curriculum units,
4 based on the subject matter presented, for
5 use in the teachers’ classrooms.

Page 120, line 10, after “techniques” insert “and strategies, consistent with the principles of universal design for learning,”.

Page 120, line 16, after “teaching skills” insert “, including the ability to effectively teach higher-order analytical, evaluative, problem-solving, and communications skills,”.

Page 122, line 9, strike “and”; on line 11, after the semicolon insert “and”; and after line 11, insert the following:

6 “(cc) effectively teach high-
7 order analytical, evaluative, prob-
8 lem solving and communications
9 skills appropriate for the teach-
10 er’s content or specialty area;

Page 125, beginning on line 24, strike “incentive, or merit or performance-based pay.” and insert “or incentive pay, based on their extra skills and responsibilities.”.

Page 127, line 10, after “school” insert “teachers or”.

Page 127, line 12, after “instruction for” insert “elementary or secondary school teachers or”.

Page 128, beginning on line 24, strike “Modifying” and all that follows through page 129, line 2, and insert “Where feasible, attempt to place”.

Page 131, line 11, after “based on” insert “, but is not required to include all of, the”.

Page 131, line 12, strike “teaching as” and insert “teaching, which may include”.

Page 134, strike lines 22 and 23 and insert the following:

1 “(C) STIPENDS; APPLICATIONS; AGREE-
2 MENTS; REPAYMENTS.—

Page 135, line 3, after the period insert “The stipend or salary shall be provided for no longer than 1 year.”.

Page 135, strike line 4 and all that follows through line 20 and insert the following:

3 “(ii) APPLICATIONS FOR STIPENDS.—
4 Each teacher residency candidate desiring

1 a stipend or salary during the period of
2 residency shall submit an application to
3 the eligible partnership at such time, and
4 containing such information and assur-
5 ances, as the eligible partnership may re-
6 quire.

7 “(iii) AGREEMENTS TO SERVE.—Each
8 application submitted under clause (ii)
9 shall contain or be accompanied by an
10 agreement that the applicant will—

11 “(I) serve as a full-time teacher
12 for a total of not less than 3 academic
13 years after successfully completing the
14 teaching residency program;

15 “(II) teach in a high-need school
16 served by the high-need local edu-
17 cational agency in the eligible part-
18 nership;

19 “(III) teach in a field designated
20 as high-need by the eligible part-
21 nership;

22 “(IV) provide to the eligible part-
23 nership a certificate, from the chief
24 administrative officer of the school at
25 which the resident is employed, of the

1 employment required in subclauses
2 (I), (II), and (III), at the beginning
3 of, and upon completion of, each year
4 or partial year of service;

5 “(V) be a highly qualified teach-
6 er, as defined in section 9101 of the
7 Elementary and Secondary Education
8 Act of 1965, when the applicant be-
9 gins to fulfill the service obligation
10 under this clause; and

11 “(VI) comply with the require-
12 ments set by the eligible partnership
13 under clause (iv) if the applicant is
14 unable or unwilling to complete the
15 service obligation required by this
16 clause.

17 “(iv) REPAYMENTS.—

18 “(I) IN GENERAL.—An eligible
19 partnership carrying out a teaching
20 residency program under this sub-
21 section shall require a recipient of a
22 stipend or salary under this subpara-
23 graph who does not complete the serv-
24 ice obligation required by clause (iii)
25 to repay the stipend or salary to the

1 eligible partnership, together with in-
2 terest thereon accruing from the date
3 of the stipend or salary award, and in
4 accordance with such other terms and
5 conditions specified by the eligible
6 partnership, as necessary.

7 “(II) OTHER TERMS AND CONDI-
8 TIONS.—Any other terms and condi-
9 tions specified by the eligible partner-
10 ship may include reasonable provi-
11 sions for deferral of a teaching resi-
12 dent’s service obligation required by
13 clause (iii) on grounds of health, inca-
14 pacitation, inability to secure employ-
15 ment in a school served by the eligible
16 partnership, or other extraordinary
17 circumstances.

18 “(III) USE OF REPAYMENTS.—
19 An eligible partnership shall use any
20 repayment received under this clause
21 to carry out additional activities that
22 are consistent with the purposes of
23 this subsection.

Page 136, line 8, strike “rural school districts” and insert “rural local educational agencies (as such term is defined in section 872 of this Act)”.

Page 138, line 15, strike “designated by the Secretary”.

Page 144, line 25, after “instruction” insert “, including technology consistent with the principles of universal design for learning,”.

Page 157, beginning on line 2, strike “As a condition of receiving assistance under title IV, each” and insert “Each”.

Page 157, line 12, strike “Secretary” and insert “State educational agency”.

Page 157, beginning on line 19, strike “As a condition” and all that follows through “title IV, each” on line 20, and insert “Each”.

Page 158, line 11, before the period insert “, as applicable”.

Page 164, line 17, and page 165, line 3, strike “develop skills to enter” and insert “develop learning skills to succeed in higher education and to enter”.

Page 165, line 2, after “environments” insert “, including environments consistent with the principles of universal design for learning,”.

Page 165, line 19, insert “or masters” before “degrees”.

Page 167, line 10, strike “technology development” and insert “development in the use of technology”.

Page 171, after line 5, insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

1 “(6) A description of how the project—
2 “(A) will incorporate State teacher tech-
3 nology standards; and
4 “(B) will incorporate State student tech-
5 nology standards.

Page 174, line 20, strike “and”; page 175, line 2, strike the period and insert a semicolon; and after line 2, insert the following new paragraphs:

6 “(6) may be used to develop and apply virtual
7 classroom simulation and related technologies to en-
8 hance recruitment, preparation, and retention for
9 high-need schools in the areas of mathematics,
10 science, foreign languages, special education, or

1 teaching the English language to students who are
2 limited English proficient; and

3 “(7) may be used to develop innovative teacher
4 preparation programs that emphasize the essential
5 components of reading instruction and other strate-
6 gies based on scientifically valid research and that
7 address early intervention strategies for students
8 with reading difficulty or language processing dif-
9 ferences.

Page 177, line 10, strike “and”; line 13, strike the
period and insert a semicolon; and after line 13, insert
the following new paragraphs:

10 “(12) develop associate’s degree programs with
11 an emphasis on the essential components of reading
12 instruction to train educators such as pre-service
13 teachers, paraprofessionals, speech-language pathol-
14 ogy assistants, and tutors to teach students with
15 reading difficulties and students who learn to read
16 differently than their peers; and

17 “(13) develop licensure programs for early
18 childhood educators that emphasize the essential
19 components of reading instruction and other strate-
20 gies based on scientifically valid research, and that
21 address strategies for early screening and early

1 intervention for students with reading difficulty and
2 who learn to read differently than their peers.”.

Page 179, beginning on line 24, strike “has the meaning” and all that follows through line 25, and insert “means a publicly funded institution of higher education (as defined in section 101) at which the highest degree awarded is predominantly the associates degree.”.

Page 183, line 13, after “teachers to” insert “serve in low-performing schools and”.

Page 188, line 15, strike “ACHIEVEMENT” and insert “STUDENT LEARNING”; and on lines 17 and 19, strike “achievement” and insert “student learning”.

Page 189, line 3, insert after the period the following: “Further, the peer review standards shall ensure that reviewers have expertise in assessment systems, accountability, and instruction.”.

Page 190, line 10, after “childhood” insert “development and”.

Page 190, strike lines 11 and 12, and redesignate the succeeding subparagraphs accordingly.

Page 190, beginning on line 15, strike “through age 5” and insert “to school entry”.

Page 192, line 4, after “supplemental initiative,” insert “the State Head Start collaboration director,”.

Page 222, line 2, strike “by regulation”.

Page 234, beginning on line 5, strike section 308 and insert the following:

1 **SEC. 308. HISTORICALLY BLACK COLLEGE AND UNIVER-**
2 **SITY CAPITAL FINANCING.**

3 (a) DEFINITIONS.—Section 342 (20 U.S.C. 1066a)
4 is amended—

5 (1) in paragraph (5)(G), by inserting “by an
6 accrediting agency or association recognized by the
7 Secretary of Education” after “agency or associa-
8 tion”;

9 (2) in paragraph (8)—

10 (A) is amended by striking “the private”
11 and inserting “any private”; and

12 (B) by inserting adding “capital project”
13 after “issuing taxable”; and

14 (3) by adding at the end the following new
15 paragraphs:

16 “(10) The term ‘eligible foundation’ means a
17 non-profit foundation owned and sponsored by an el-
18 igible institution, or an entity wholly owned by such
19 a foundation.

1 “(11) The term ‘borrower’ means the eligible
2 institution or the eligible foundation that receives
3 funding pursuant to a loan.”.

4 (b) FEDERAL INSURANCE FOR BONDS.—

5 (1) RESPONSIBILITIES OF DESIGNATED BOND-
6 ING AUTHORITY.—Section 343(b) (20 U.S.C.
7 1066b(b)) is amended—

8 (A) in paragraph (1), by striking “2 per-
9 cent” and inserting “1 percent”;

10 (B) in paragraph (3)(A), by inserting “,
11 not to exceed 1 percent,” after “charge such in-
12 terest”;

13 (C) in paragraph (8)—

14 (i) by inserting “for loans closed be-
15 fore June 15, 2008,” before “establish an
16 escrow account”;

17 (ii) in subparagraph (B)(ii), by insert-
18 ing “within 90 days” after “loan pro-
19 ceeds”;

20 (D) by striking “and” at the end of para-
21 graph (10);

22 (E) by striking the period at the end of
23 paragraph (11) and inserting a semicolon; and

24 (F) by adding at the end the following new
25 paragraphs:

1 “(12) with respect to any such loan, provide
2 that any loan collateralization shall not exceed 100
3 percent of the loan amount; and

4 “(13) for loans closed after, June 15, 2008, es-
5 tablish a reserve account which shall be available to
6 the Secretary to pay principal and interest on the
7 bonds in the event of delinquency in loan repayment,
8 which reserve account shall consist of an origination
9 fee of 1 percent with respect to each loan.”.

10 (2) FORBEARANCE; DEFERMENT.—Section 343
11 is further amended by adding at the end the follow
12 new subsections:

13 “(f) FORBEARANCE.—An insurance agreement under
14 this subsection shall contain provisions providing that,
15 upon request from the borrower and with the approval of
16 the Secretary in consultation with the Advisory Board, the
17 designated bond authority shall grant a borrower forbear-
18 ance, renewable at 12-month intervals, on terms agreed
19 to in writing by the parties to the loan with the approval
20 of the Secretary, and otherwise consistent with the regula-
21 tions of the Secretary.

22 “(g) DEFERMENT.—An insurance agreement under
23 this subsection shall contain provisions providing that,
24 during construction or renovation, the Designated Bond
25 Authority shall grant a borrower deferment, renewable at

1 12-month intervals, on terms agreed to in writing by the
2 parties to the loan with the approval of the Secretary in
3 consultation with the Advisory Board, and otherwise con-
4 sistent with the regulations of the Secretary.”

5 (c) LIMITATIONS ON FEDERAL INSURANCE FOR
6 BONDS ISSUED BY THE DESIGNATED BONDING AUTHOR-
7 ITY.—Section 344(a) (20 U.S.C. 1066c(a)) is amended—

8 (1) by striking “\$375,000,000” and inserting
9 “\$1,100,000,000”;

10 (2) by striking “\$250,000,000” and inserting
11 “\$733,333,333”; and

12 (3) by striking “\$125,000,000” and inserting
13 “\$366,666,666”.

14 (d) AUTHORITY OF THE SECRETARY.—Section
15 345(1) (20 U.S.C. 1066d(1)) is amended—

16 (1) by striking “the Higher Education Amend-
17 ments of 1992,” and inserting “the College Oppor-
18 tunity and Affordability Act of 2007”;

19 (2) by striking “and” at the end of subpara-
20 graph (A); and

21 (3) by inserting after subparagraph (B) the fol-
22 lowing new subparagraphs:

23 “(C) specify up to 3 designated bonding
24 authorities to be authorized under this part;
25 and

1 “(D) provide for periodic review of des-
2 ignated bonding authority authorizations no
3 less frequently than every 3 years;”.

4 (e) HBCU CAPITAL FINANCING ADVISORY BOARD.—
5 Section 347(b)(1) (20 U.S.C. 1066f(b)(1)) is amended—

6 (1) by striking out “9 members” and inserting
7 “11 members”;

8 (2) in subparagraph (C), by striking “two” and
9 inserting “three”;

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(G) The president of the Thurgood Mar-
13 shall Scholarship Fund.”.

Page 238, beginning on line 8, strike “this subpart”
and all that follows through “including” on line 9 and in-
sert “this subpart. Such plan shall include, if the Sec-
retary determines that it is practical, an objective meas-
ure of the impact of such projects, such as”.

Page 238, after line 19, insert the following new
subparagraph (and redesignate the succeeding subpara-
graphs accordingly):

14 (B) in subparagraph (C), by inserting be-
15 fore the semicolon the following: “, the Depart-

1 ment of Defense, or the National Science Foun-
2 dation”;

Page 248, beginning on line 12, strike subsection (d)
and insert the following:

3 (d) TECHNICAL AMENDMENTS TO CCRAA.—Section
4 401(b)(9) is amended—

5 (1) by amending subparagraph (D) to read as
6 follows:

7 “(D) PROGRAM REQUIREMENTS AND OP-
8 ERATIONS OTHERWISE UNAFFECTED.—Except
9 as provided in subparagraphs (B) and (C),
10 nothing in this paragraph shall be construed to
11 alter the requirements and operations of the
12 Federal Pell Grant Program as authorized
13 under this section, or authorize the imposition
14 of additional requirements or operations for the
15 determination and allocation of Federal Pell
16 Grants under this section.”; and

17 (2) by amending subparagraph (F) to read as
18 follows:

19 “(F) AVAILABILITY OF FUNDS.—The
20 amounts made available by subparagraph (A)
21 for any fiscal year shall be available beginning
22 on October 1 of that fiscal year, and shall re-

1 main available through September 30 of the
2 succeeding fiscal year.”.

Page 254, line 10, insert “and” after the semicolon
and strike lines 11 through 14 and insert the following:

3 (ii) by amending subparagraph (A) to
4 read as follows:

5 “(A) to synchronize the awarding of grants
6 for programs under this chapter, the Secretary
7 may, under such terms as are consistent with
8 the purposes of this chapter, provide a one-
9 time, limited extension of the length of such an
10 award;”; and

Page 255, beginning on line 1, strike subparagraph
(A) and insert the following:

11 (A) in paragraph (2)—
12 (i) by striking “(2) PRIOR EXPERI-
13 ENCE.—In” and inserting the following:
14 “(2) CONSIDERATIONS.—(A) PRIOR EXPERI-
15 ENCE.—In”;
16 (ii) by striking “service delivery” and
17 inserting “high quality service delivery, as
18 determined under subsection (f),”; and
19 (iii) by adding at the end the fol-
20 lowing new subparagraph:

1 “(B) PARTICIPANT NEED.—In making grants
2 under this chapter, the Secretary shall consider the
3 number, percentages, and needs of eligible partici-
4 pants in the area, college, or school or schools to be
5 served to aid such participants in preparing for, en-
6 rolling in, or succeeding in college, as appropriate to
7 the particular program for which the eligible entity
8 is applying.”;

Page 255, line 12, after “foster care youth” insert
“(including youth in foster care and youth who have left
foster care after reaching age 16)”.

Page 261, beginning on line 20, strike paragraph (5)
and insert the following:

9 “(5) APPEALS.—(A) Upon a determination by
10 the Secretary not to accept an application, or upon
11 a determination by the Secretary through the peer
12 review process as specified in subsection (c)(4) not
13 to fund an application, for any program under this
14 chapter, the Secretary shall allow such applicant to
15 appeal the funding decision. An applicant may sub-
16 mit a written request for reconsideration of the ap-
17 plication, with appropriate documentary evidence, to
18 the Secretary.

1 “(B) For appeals regarding the awarding of
2 points for prior experience of high quality service de-
3 livery or a decision not to read an application or any
4 mishandling of such application, a panel of three
5 Department employees appointed by the Secretary
6 shall review each request for reconsideration. The
7 panel shall review the request for the purpose of
8 identifying any technical errors or administrative
9 problems with the scoring of the application, the
10 awarding of prior experience points, or the handling
11 of the application, including any decision not to read
12 an application. The panel shall make its rec-
13 ommendations to the Secretary in writing.

14 “(C) For appeals regarding scoring decisions by
15 the peer review panel, the Secretary shall refer the
16 application to a second peer review panel.

17 “(D) In each instance, after the Secretary or
18 the Secretary’s designee considers the recommenda-
19 tions of the panel and makes a final decision, the
20 Secretary shall notify each entity requesting recon-
21 sideration under this paragraph regarding the status
22 of their appeal within 90 days after the date the ap-
23 plicant submitted the appeal.”;

Page 264, after line 20, insert the following new subsection (and redesignate the succeeding subsections accordingly):

1 (b) TALENT SEARCH.—Section 402B(b)(10) (20
2 U.S.C. 1070a-12(b)(10)) is amended by inserting “,
3 groups of persons from disadvantaged backgrounds that
4 have particular lower educational access or outcomes, or
5 disconnected students” after “limited English pro-
6 ficiency”.

Page 264, line 25, strike “and”; and on page 265,
before line 1, insert the following new paragraph (and re-
designate the succeeding paragraph accordingly):

7 (2) in subsection (b)(12), by inserting “, groups
8 of persons from disadvantaged backgrounds that
9 have particular lower educational access or out-
10 comes, or disconnected students” after “limited
11 English proficiency”; and

Page 265, beginning on line 2, strike subsection (f)
and insert the following:

12 “(f) ABSOLUTE PRIORITY PROHIBITED IN UPWARD
13 BOUND PROGRAM.—Upon enactment of this subsection
14 and except as otherwise expressly provided by amendment
15 to this section, the Secretary shall not continue implement
16 or enforce the absolute priority for Upward Bound Pro-

1 gram published by the Department of Education in the
2 Federal Register on September 22, 2006 (71 Fed. Reg.
3 55447 et seq.). This subsection shall not be applied retro-
4 actively. In implementing this subsection, the Department
5 shall allow the programs and participants chosen in the
6 grant cycle to which the priority applies to continue their
7 grants and participation without a further recompetition.
8 The entities shall not be required to apply the absolute
9 priority conditions or restrictions to future participants.”.

Page 265, after line 9, insert the following new sub-
section (and redesignate the succeeding subsections ac-
cordingly):

10 (d) STUDENT SUPPORT SERVICES.—Section
11 402D(b)(10) (20 U.S.C. 1070a-14(b)(10)) is amended by
12 inserting “, groups of persons from disadvantaged back-
13 grounds that have particular lower educational access or
14 outcomes, or disconnected students” after “limited
15 English proficiency”.

Page 265, after line 14, insert the following new
subsections (and redesignate the succeeding subsection
accordingly):

16 (f) EDUCATIONAL OPPORTUNITY CENTERS.—Section
17 402F(b)(10) (20 U.S.C. 1070a-16(b)(10)) is amended by
18 inserting “, groups of persons from disadvantaged back-

1 grounds that have particular lower educational access or
2 outcomes, or disconnected students” after “limited
3 English proficiency”.

4 (g) STAFF DEVELOPMENT ACTIVITIES.—Section
5 402G(b) (20 U.S.C. 1070a-17(b)) is amended by adding
6 at the end the following new paragraph:

7 “(5) Strategies for recruiting and serving hard-
8 to-reach populations, including students of limited
9 English proficiency, groups of persons from dis-
10 advantaged backgrounds that have particular lower
11 educational access or outcomes, disconnected stu-
12 dents, and students with disabilities.”.

Page 272, beginning on line 8, strike clauses (iv)
and (v) and insert the following:

13 (iv) in paragraph (3), by inserting “el-
14 igible” before “for assistance”, and by
15 striking the period and inserting “; or”;
16 and

17 (v) by adding at the end the following
18 new paragraph:

19 “(4) a disconnected student.”.

Page 276, strike lines 1 through 13 and insert the
following:

1 (f) SCHOLARSHIP COMPONENT.—Section 404E(b)(2)
2 (20 U.S.C. 1070a–25) is amended by striking “the max-
3 imum Federal Pell Grant” and inserting “the minimum
4 Federal Pell Grant”.

Page 276, line 23, strike “subpart 1” and insert
“subpart 2”.

Page 283, beginning on line 16, strike “and include”
and all that follows through “this title” on line 21.

Page 289, beginning on line 11, strike “(less any”
and all that follows through “by the student)” on line 15.

Page 290, beginning on line 8, strike “(less any”
and all that follows through “by the student)” on line 11.

Page 290, beginning on line 22, strike “(less any”
and all that follows through “by the student)” on line 25.

Page 301, beginning on line 25, strike paragraph (6)
through page 302, line 6, and insert the following:

5 (6) by inserting after subsection (f) the fol-
6 lowing:

7 “(g) RESERVATION AND ALLOCATION OF FUNDS.—
8 From the amounts made available under subsection (i),
9 the Secretary—

10 “(1) may reserve not more than a total of $\frac{1}{2}$
11 of 1 percent for outreach activities, technical assist-

1 ance, and professional development programs relat-
2 ing to the programs under subsection (a); and

3 “(2) shall, in awarding grants from the remain-
4 der of such amounts—

5 “(A) make available not less than 45 per-
6 cent of such remainder for the high school
7 equivalency programs and not less than 45 per-
8 cent of such remainder for the college assist-
9 ance migrant programs;

10 “(B) award the rest of such remainder for
11 either high school equivalency programs or col-
12 lege assistance migrant programs based on the
13 number, quality, and promise of the applica-
14 tions; and

15 “(C) consider the need to provide an equi-
16 table geographic distribution of such grants.”;

Page 302, beginning on line 22, strike paragraph (8)
through page 303, line 8, and insert the following:

17 (8) by striking subsection (i) (as redesignated
18 by paragraph (5)) and inserting the following:

19 “(i) AUTHORIZATION OF APPROPRIATIONS.—For the
20 purpose of making grants and contracts under this sec-
21 tion, there are authorized to be appropriated \$75,000,000
22 for fiscal year 2009 and such sums as may be necessary
23 for the each of the 4 succeeding fiscal years.”.

Page 305, line 6, strike “social psychology or”.

Page 306, strike lines 19 through 22.

Page 311, line 13, after “service” insert “in a full-time position related to the field in which the student obtained his or her undergraduate degree,”; and after “following” insert “the later of—”.

Page 311, strike lines 14 and 15, and before line 16, insert the following:

- 1 “(A) the completion of the student’s un-
2 dergraduate degree program; or
3 “(B) the completion of a graduate degree
4 program in a field related to the field in which
5 the student obtained his or her undergraduate
6 degree.

Page 323, after line 3, insert the following new sub-section:

- 7 “(g) REPORT ON BEST PRACTICES.—Within one year
8 after the date of enactment of this section, the Secretary
9 shall—
10 “(1) conduct a study to identify the best prac-
11 tices to strengthen the role of institutions that re-
12 ceive funding under title III or title V in increasing

1 America's critical foreign language education efforts;
2 and
3 "(2) submit a report on the results of such
4 study to the authorizing committees.

Page 323, before line 4, insert the following new section (and redesignate the succeeding section accordingly):

5 **"SEC. 419D. ADJUNCT TEACHER CORPS.**

6 "(a) PURPOSE.—The purpose of this section is to create
7 opportunities for individuals with subject matter expertise
8 in mathematics, science, and critical foreign languages
9 to provide such subject matter expertise to secondary
10 school students on an adjunct basis.

11 "(b) PROGRAM AUTHORIZED.—The Secretary is authorized
12 to award grants to eligible entities to identify, recruit,
13 and train individuals with subject matter expertise
14 in mathematics, science, and critical foreign languages to
15 serve as adjunct content specialists.

16 "(c) DURATION OF GRANTS.—The Secretary may
17 award grants under this section for a period of not more
18 than 5 years.

19 "(d) ELIGIBLE ENTITY.—For the purpose of this section,
20 an eligible entity is—

21 "(1) a local educational agency; or

1 “(2) a partnership consisting of a local edu-
2 cational agency, serving as a fiscal agent, and a pub-
3 lic or private educational organization or business.

4 “(e) USES OF FUNDS.—An eligible entity that re-
5 ceives a grant under this section is authorized to use such
6 grant to carry out one or both of the following activities:

7 “(1) To develop the capacity of the eligible enti-
8 ty to identify, recruit, and train individuals with
9 subject matter expertise in mathematics, science,
10 and critical foreign languages who are not employed
11 in the elementary and secondary education system
12 (including individuals in business and government,
13 and individuals who would participate through dis-
14 tance-learning arrangements) to become adjunct
15 content specialists.

16 “(2) To provide pre-service training and on-
17 going professional development to adjunct content
18 specialists.

19 “(f) APPLICATIONS.—

20 “(1) APPLICATION REQUIRED.—To be consid-
21 ered for a grant under this section, an eligible entity
22 shall submit an application to the Secretary at such
23 time, in such manner, and containing such informa-
24 tion as the Secretary requires.

1 “(2) CONTENTS.—Such application shall in-
2 clude a description of—

3 “(A) the need for, and expected benefits of
4 using, adjunct content specialists in the schools
5 of the local educational agency, which may in-
6 clude information on the difficulty the local
7 educational agency faces in recruiting qualified
8 faculty in mathematics, science, and critical for-
9 eign language courses;

10 “(B) measurable objectives for the activi-
11 ties supported by the grant, including the num-
12 ber of adjunct content specialists the eligible
13 entity intends to place in schools and class-
14 rooms, and the gains in academic achievement
15 expected as a result of the addition of such spe-
16 cialists;

17 “(C) how the eligible entity will establish
18 criteria for and recruit the most qualified indi-
19 viduals and public or private organizations and
20 businesses to participate in the activities sup-
21 ported by the grant;

22 “(D) how the eligible entity will provide
23 pre-service training and on-going professional
24 development to adjunct content specialists to

1 ensure that such specialists have the capacity to
2 serve effectively;

3 “(E) how the eligible entity will use funds
4 received under this section, including how the
5 eligible entity will evaluate the success of the
6 activities supported by the grant;

7 “(F) how the eligible entity will support
8 and continue the activities supported by the
9 grant after the grant has expired, including how
10 such entity will seek support from other
11 sources, such as State and local government
12 and the private sector; and

13 “(G) an assurance that the use of adjunct
14 content specialists will not result in the dis-
15 placement or transfer of currently employed
16 teachers nor a reduction in the number of over-
17 all teachers in the district.

18 “(g) PRIORITIES.—In awarding grants under this
19 section, the Secretary shall give priority to eligible entities
20 that demonstrate in the application for such a grant a plan
21 to—

22 “(1) serve the schools of the local educational
23 agency that have a large number or percentage of
24 students performing below grade level in mathe-
25 matics, science, or critical foreign language courses;

1 “(2) serve local educational agencies that have
2 a large number or percentage of students from fami-
3 lies with incomes below the poverty line (as such
4 term is defined in section 200); and

5 “(3) recruit and train individuals to serve as
6 adjunct content specialists in schools that have an
7 insufficient number of teachers in mathematics,
8 science, or critical foreign languages.

9 “(h) MATCHING REQUIREMENT.—Each eligible enti-
10 ty that receives a grant under this section shall provide,
11 from non-Federal sources, an amount equal to 100 percent
12 of the amount of such grant (in cash or in kind) to carry
13 out the activities supported by such grant.

14 “(i) PERFORMANCE REPORT.—Each eligible entity
15 receiving a grant under this section shall prepare and sub-
16 mit to the Secretary a final report on the results of the
17 activities supported by such grant, which shall contain
18 such information as the Secretary may require, including
19 any improvements in student academic achievement as a
20 result of the use of adjunct content specialists.

21 “(j) EVALUATION.—The Secretary shall evaluate the
22 activities supported by grants under this section, including
23 the impact of such activities on student academic achieve-
24 ment, and shall report the results of such evaluation to
25 the authorizing committees.

1 “(k) DEFINITION.—In this section the term ‘adjunct
2 content specialist’ means an individual who—

3 “(1) meets the requirements of section
4 9101(23)(B)(ii) of the Elementary and Secondary
5 Education Act of 1965;

6 “(2) has demonstrated expertise in mathe-
7 matics, science, or a critical foreign language, as de-
8 termined by the local educational agency; and

9 “(3) may not be the primary provider of in-
10 structional services to a student unless the adjunct
11 content specialist is under the direct supervision of
12 a teacher who meets the requirements of Section
13 9101(23) of such Act.”.

Page 323, after line 25, insert the following new
subsection (and redesignate the succeeding subsection ac-
cordingly):

14 (e) REPORTING REQUIREMENTS.—Section 419N(e)
15 is amended—

16 (1) in paragraph (1)(A), by striking “18
17 months,” and all that follows through the end there-
18 of and inserting “annually.”; and

19 (2) in paragraph (2)—

20 (A) by striking “the third annual grant
21 payment” and inserting “continuation awards”;
22 and

1 (B) by striking “the 18-month report” and
2 inserting “the reports”.

Page 324, line 23, strike “and” and after such line insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

3 (3) in section 420N—

4 (A) in subsection (b)—

5 (i) in paragraph (1)(E), by striking
6 “and” after the semicolon;

7 (ii) in paragraph (2), by striking the
8 period at the end and inserting “; and”;
9 and

10 (iii) by adding at the end the fol-
11 lowing new paragraph:

12 “(3) contains, or is accompanied by, a plain-
13 language disclosure form developed by the Secretary
14 that clearly describes the nature of the TEACH
15 Grant award, the service obligation, and the loan re-
16 payment requirements that are the consequence of
17 the failure to complete the service obligation.”; and

18 (B) by adding at the end the following new
19 subsection:

20 “(d) ADDITIONAL ADMINISTRATIVE PROVISIONS.—

21 “(1) CHANGE OF HIGH-NEED DESIGNATION.—

22 In the event that a recipient of an initial grant

1 under this subpart has acquired an academic degree,
2 or expertise, in a field that was, at the time of the
3 recipient's application for that grant, designated as
4 high-need in accordance with subsection
5 (b)(1)(C)(vii), but is no longer so designated, the
6 grant recipient may fulfill the service obligation de-
7 scribed in subsection (b)(1) by teaching in that field.

8 “(2) EXTENUATING CIRCUMSTANCES.—The
9 Secretary shall establish, by regulation, categories of
10 extenuating circumstances under which a recipient
11 of a grant under this subpart who is unable to fulfill
12 all or part of his or her service obligation may be ex-
13 cused from fulfilling that portion of the service obli-
14 gation.”; and

Page 325, beginning on line 4, strike “Such evalua-
tion shall” and all that follows through line 18 and insert
close quotations marks and a period.

Page 326, line 21, after “this title” insert “, as de-
termined by the Secretary,”.

Page 327, beginning on line 1, strike subparagraph
(B) and insert the following:

15 “(B) An institution and any third party
16 servicer obtaining access to information under
17 subparagraph (A), including any subcontractor

1 obtaining access to information under subpara-
2 graph (C)(iii), shall safeguard that informa-
3 tion—

4 “(i) as required by any law applicable
5 to the institution, third party servicer, or
6 subcontractor; and

7 “(ii) at least to the same extent that
8 the disclosing financial institution is re-
9 quired to safeguard its customer informa-
10 tion under sections 501 and 505(b) of the
11 Gramm-Leach-Bliley Act (15 U.S.C. 6801,
12 6805(b)).

Page 327, line 16, after “the borrower” insert “, a subcontractor of the third party servicer for purposes of skip tracing.”.

Page 327, line 23, strike the close quotation marks and the following period; and after line 23, insert the following:

13 “(D) Any requirement under subparagraph
14 (A) to provide student loan information shall be
15 considered an applicable legal requirement for
16 the purposes of section 502(e)(8) of the
17 Gramm-Leach-Bliley Act (15 U.S.C.
18 6802(e)(8)).

1 “(E) Any subcontractor obtaining access to
2 information under subparagraph (C)(iii) shall
3 meet the same restrictions that apply to third
4 party servicers under subparagraph (C).”.

Page 328, before line 1, insert the following new sections (and redesignate the succeeding sections accordingly):

5 **SEC. 424. VOLUNTARY FLEXIBLE AGREEMENTS..**

6 Section 428A(a) (20 U.S.C. 1078-1(a)) is amended
7 by adding at the end the following new paragraph:

8 “(3) REPORT REQUIRED.—The Secretary, in
9 consultation with the guaranty agencies participating
10 under voluntary flexible agreements, shall report
11 on an annual basis to the authorizing committees
12 regarding the program outcomes that the voluntary
13 flexible agreements have had with respect to
14 program integrity, program and cost efficiencies, delinquency
15 prevention, default aversion, and consumer
16 education programs described in section 433A, and
17 the availability and delivery of student financial aid.
18 Such report shall include—

19 “(A) a description of each voluntary flexible
20 agreement and the performance goals established
21 by the Secretary for each agreement;

1 “(B) a list of participating guaranty agen-
2 cies and the specific statutory or regulatory
3 waivers provided to each guaranty agency and
4 any waivers provided to other guaranty agencies
5 under paragraph (2);

6 “(C) a description of the standards by
7 which each agency’s performance under the
8 agency’s voluntary flexible agreement was as-
9 sessed and the degree to which each agency
10 achieved the performance standards;

11 “(D) an analysis of the fees paid by the
12 Secretary, and the costs and efficiencies
13 achieved under each voluntary flexible agree-
14 ment; and

15 “(E) an identification of promising prac-
16 tices for program improvement that could be
17 replicated by other guaranty agencies.”.

18 **SEC. 425. GRACE PERIOD FOR GRADUATE AND PROFES-**
19 **SIONAL STUDENT PLUS LOANS.**

20 (a) **AMENDMENT.**—Section 428B(d) (20 U.S.C.
21 1078-2(d)) is amended by amending paragraphs (1) and
22 (2) to read as follows:

23 “(1) **COMMENCEMENT OF REPAYMENT.**—Re-
24 payment of principal on loans made under this sec-
25 tion shall—

1 “(A) commence not later than—

2 “(i) in the case of a parent borrower,
3 60 days after the date such loan is dis-
4 bursed by the lender; and

5 “(ii) in the case of a graduate or pro-
6 fessional student borrower, commence at
7 the beginning of a repayment period that
8 begins the day after 6 months after the
9 date the student ceases to carry at least
10 one-half the normal full-time academic
11 workload (as determined by the institu-
12 tion); and

13 “(B) be subject to deferral during any pe-
14 riod during which the graduate or professional
15 student or the parent meets the conditions re-
16 quired for a deferral under section 427(a)(2)(C)
17 or 428(b)(1)(M).

18 “(2) CAPITALIZATION OF INTEREST.—

19 “(A) IN GENERAL.—Interest on loans
20 made under this section—

21 “(i) which accrues prior to the begin-
22 ning of repayment under paragraph
23 (1)(A)(i), shall be added to the principal
24 amount of the loan; and

1 “(ii) which accrues during a period in
2 which payments of principal are deferred
3 pursuant to paragraph (1)(B) shall, if
4 agreed upon by the borrower and the lend-
5 er—

6 “(I)(aa) be paid monthly or quar-
7 terly; or

8 “(bb) be added to the principal
9 amount of the loan not more fre-
10 quently than quarterly by the lender.

11 “(B) INSURABLE LIMITS.—Capitalization
12 of interest under this paragraph shall not be
13 deemed to exceed the annual insurable limit on
14 account of the borrower.”.

15 (b) CONFORMING AMENDMENT.—Section
16 428(b)(7)(C) (20 U.S.C. 1078(b)(7)(C)) is amended by
17 striking “, 428B,”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall be effective for loans issued on or after
20 July 1, 2008.

Page 329, after line 4 insert the following new sec-
tions (and redesignate the succeeding sections accord-
ingly):

1 **SEC. 427. EXTENSION OF CONSOLIDATION LOAN AUTHOR-**
2 **ITY.**

3 Section 428C(e) (20 U.S.C. 1078-3(c)) is amended
4 by striking “2012” and inserting “2013.”

5 **SEC. 428. REQUIREMENTS FOR DISBURSEMENT OF STU-**
6 **DENT LOANS.**

7 (a) **SPECIAL RULE.**—Section 428G(a) (20 U.S.C.
8 1078-7(a)) is amended by adding at the end the following
9 new paragraph:

10 “(4) **AMENDMENT TO SPECIAL RULE.**—Begin-
11 ning on October 1, 2011, the special rule under
12 paragraph (3) shall be applied by substituting ‘15
13 percent’ for ‘10 percent.’”.

14 (b) **REQUIREMENTS FOR DISBURSEMENTS TO FIRST**
15 **YEAR STUDENTS.**—Section 428G(b) (20 U.S.C. 1078-
16 7(b)) is amended by adding at the end the following new
17 paragraph:

18 “(3) **AMENDMENT TO COHORT DEFAULT RATE**
19 **EXEMPTION.**—Beginning on October 1, 2011, the
20 exemption to the requirements of paragraph (1) in
21 the second sentence of such paragraph shall be ap-
22 plied by substituting ‘15 percent’ for ‘10 percent.’”.

Page 332, line 22, after “PATHOLOGISTS” insert
“AND AUDIOLOGISTS”; and line 23, after “pathologist”
insert “or audiologist”.

Page 333, line 2, insert “, audiology” before the comma.

Page 335, after line 14, insert the following new paragraphs:

- 1 “(14) DENTISTS.—An individual who—
2 “(A) has received his or her degree from
3 an accredited dental school (as accredited by
4 the Commission on Dental Accreditation) and
5 has completed residency training in pediatric
6 dentistry, general dentistry, or dental public
7 health; or
8 “(B) is employed as a member of the fac-
9 ulty at a program or school accredited by the
10 Commission on Dental Accreditation.
11 “(15) STEM EMPLOYEES.—An individual who
12 is employed in engineering, technology, applied
13 sciences, or mathematics.

Page 336, after line 18, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

- 14 “(1) AUDIOLOGIST.—The term ‘audiologist’
15 means an individual who—
16 “(A) has received, at a minimum, a grad-
17 uate degree in audiology from an institution of

1 higher education accredited by an agency or as-
2 sociation recognized by the Secretary pursuant
3 to section 496(a) of this Act; and

4 “(B) provides audiology services under
5 subsection (l)(2) of section 1861 of the Social
6 Security Act (42 U.S.C. 1395x(l)(2)), or meets
7 or exceeds the qualifications for a qualified au-
8 diologist under subsection (l)(4) of such section
9 (42 U.S.C. 1395x(l)(4)).

Page 348, beginning on line 5, strike subsection (c)
and insert the following:

10 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
11 tion shall be construed to prohibit—

12 “(1) a guaranty agency from using activities,
13 programs, and materials existing on the date of en-
14 actment of this section in meeting the requirements
15 of this section; or

16 “(2) a lender or loan servicer from providing
17 outreach or financial aid literacy information in ac-
18 cordance with subsection (b).”.

Page 348, after line 8, insert the following new sec-
tion (and redesignate the succeeding sections accord-
ingly):

1 **SEC. 433. DEFINITION OF ELIGIBLE INSTITUTION: PARTICI-**
2 **PATION RATE INDEX.**

3 (a) **AMENDMENTS.**—Section 435(a) (20 U.S.C.
4 1085(a)) is amended—

5 (1) in paragraph (2)—

6 (A) in subparagraph (A)(ii), by striking
7 “paragraph (4)” and inserting “paragraph
8 (5)”; and

9 (B) in subparagraph (B)—

10 (i) by striking “and” at the end of
11 clause (ii); and

12 (ii) by striking clause (iii) and insert-
13 ing the following new clauses:

14 “(iii) 25 percent for fiscal year 1994
15 through fiscal year 2011; and

16 “(iv) 30 percent for fiscal year 2012
17 and any succeeding fiscal year.”;

18 (2) by redesignating paragraph (6) as para-
19 graph (8), and redesignating paragraphs (3) through
20 (5) as paragraphs (4) through (6), respectively;

21 (3) by inserting after paragraph (2) the fol-
22 lowing new paragraph:

23 “(3) **APPEALS FOR REGULATORY RELIEF.**—An
24 institution whose cohort default rate, calculated in
25 accordance with subsection (m), is equal to or great-
26 er than the threshold percentage specified in para-

1 graph (2)(B)(iv) of this subsection, for two consecu-
2 tive fiscal years may, within 30 days of receiving no-
3 tification from the Secretary, file an appeal dem-
4 onstrating exceptional mitigating circumstances, as
5 defined in paragraph (5). The Secretary shall issue
6 a decision on any such appeal within 45 days after
7 its submission. If the Secretary determines that the
8 institution demonstrates exceptional mitigating cir-
9 cumstances, the Secretary shall not subject the insti-
10 tution to provisional certification based solely on the
11 institution's cohort default rate.”;

12 (4) in paragraph (5)(A) (as redesignated by
13 paragraph (2) of this subsection), by striking “For
14 the purposes of paragraph (2)(A)(ii)” and all that
15 follows through “following criteria:”, and inserting
16 “For purposes of this subsection, an institution of
17 higher education shall be treated as having excep-
18 tional mitigating circumstances that make applica-
19 tion of paragraph (2) inequitable, and that provide
20 for regulatory relief under paragraph (3), if such in-
21 stitution, in the opinion of an independent auditor,
22 meets the following criteria:”;

23 (5) by inserting after paragraph (6) (as redesign-
24 ated by paragraph (2) of this subsection) the fol-
25 lowing new paragraph:

1 “(7) DEFAULT PREVENTION AND ASSESSMENT
2 OF ELIGIBILITY BASED ON HIGH DEFAULT RATES.—

3 “(A) FIRST YEAR.—(i) An institution
4 whose cohort default rate is equal to or greater
5 than the threshold percentage specified in para-
6 graph (2)(B)(iv) in any fiscal year shall estab-
7 lish a default prevention task force to prepare
8 a plan to—

9 “(I) identify the factors causing
10 the institution’s cohort default rate to
11 exceed such threshold;

12 “(II) establish measurable objec-
13 tives to improve the institution’s co-
14 hort default rate; and

15 “(III) specify actions that the in-
16 stitution can take to improve student
17 loan repayment, including enhanced
18 use of professional judgment and dis-
19 cretion of student financial aid admin-
20 istrators.

21 “(ii) Each institution subject to this sub-
22 paragraph shall submit the plan under clause
23 (i) to the Secretary, who shall review the plan
24 and offer technical assistance to the institution
25 to promote improved student loan repayment.

1 “(B) SECOND CONSECUTIVE YEAR.—(i) An
2 institution whose cohort default rate is equal to
3 or greater than the threshold percentage speci-
4 fied in paragraph (2)(B)(iv) for two consecutive
5 fiscal years shall require the institution’s de-
6 fault prevention task force established under
7 subparagraph (A) to review and revise the plan
8 required under such subparagraph, and shall
9 submit such revised plan to the Secretary.

10 “(ii) The Secretary shall review each re-
11 vised plan submitted in accordance with this
12 subparagraph, and may direct that such a plan
13 be amended to include actions, with measurable
14 objectives, that the Secretary determines, based
15 on available data and analyses of student loan
16 defaults, will promote student loan repayment.

17 “(C) COHORT DEFAULT RATES PUB-
18 LISHED.—The Secretary shall make available to
19 the public on the College Navigator web site the
20 cohort default rate and the plan of the default
21 prevention task force of each institution that is
22 subject to this paragraph.”; and

23 (6) in paragraph (8)(A) (as redesignated by
24 paragraph (2) of this subsection), by striking
25 “0.0375” and inserting “0.0625”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a)(6) is effective for fiscal years beginning on
3 or after October 1, 2011.

Page 348, line 22, strike “beginning of the third”
and insert “end of the second”.

Page 348, after line 23, insert the following new
paragraph (and redesignate the succeeding paragraphs
accordingly):

4 (2) in paragraph (1)(B), by striking “such fis-
5 cal year” and inserting “such second fiscal year”;

Page 349, beginning on line 1, strike “beginning of
the third” and insert “end of the second”.

Page 349, strike lines 4 through 10 and insert the
following:

6 (3) in paragraph (2)(C)—
7 (A) by striking “end of such following fis-
8 cal year is not considered as in default for the
9 purposes of this subsection” and inserting “end
10 of the second fiscal year following the year in
11 which the loan entered repayment is not consid-
12 ered as in default for purposes of this sub-
13 section”; and

1 (B) by striking “such fiscal year” and in-
2 serting “such second fiscal year”; and

Page 349, line 21, strike “cohort default data” and insert “cohort default rate”.

Page 348, line 19, insert “(a) AMENDMENTS.—” before “Section 435(m)”; and on page 350, after line 13, insert the following new subsection:

3 (b) EFFECTIVE DATE AND TRANSITION.—

4 (1) EFFECTIVE DATE.—The amendments made
5 by subsection (a) shall be effective for purposes of
6 calculating cohort default rates for fiscal year 2008
7 and succeeding fiscal years.

8 (2) TRANSITION.—Notwithstanding paragraph
9 (1), the method of calculating cohort default rates
10 under section 435(m) of the Higher Education Act
11 of 1965 as in effect on the day before the date of
12 enactment of this Act shall continue in effect, and
13 the rates so calculated shall be the basis for any
14 sanctions imposed on institutions of higher edu-
15 cation because of their cohort default rates, until
16 three consecutive years of cohort default rates cal-
17 culated in accordance with the amendments made by
18 subsection (a) are available.

Page 351, line 19, strike “2752(d)(4)(D)” and insert “2752(c)(4)(D)”.

Page 351, after line 20, insert the following new subsections:

1 (c) GRANTS FOR FEDERAL WORK-STUDY PRO-
2 GRAMS.—Section 443 (42 U.S.C. 2753) is amended —

3 (1) in subsection (b)(2)(B), strike “(as de-
4 scribed in subsection (d)), is” insert the following:
5 “(as described in subsection (d)), and not less than
6 1 civic education and participation project (as de-
7 scribed in subsection (e)), are”;

8 (2) by adding at the end the following new sub-
9 section:

10 “(e) CIVIC EDUCATION AND PARTICIPATION ACTIVI-
11 TIES.—

12 “(1) USE OF FUNDS.—In any academic year to
13 which subsection (b)(2)(B) applies, an institution
14 shall ensure that funds granted to such institution
15 under this section are used in accordance with such
16 subsection to compensate (including compensation
17 for time spent in training and travel directly related
18 to civic education and participation activities) stu-
19 dents employed in projects that—

20 “(A) teach civics in schools;

1 “(B) raise awareness of government func-
2 tions or resources; or

3 “(C) increase civic participation such as in
4 voting or running for elected office.

5 “(2) PRIORITY FOR SCHOOLS.—To the extent
6 practicable, an institution shall—

7 “(A) give priority to the employment of
8 students participating in projects that educate
9 or train the public about evacuation, emergency
10 response, and injury prevention strategies relat-
11 ing to natural disasters, acts of terrorism, and
12 other emergency situations; and

13 “(B) ensure that any student compensated
14 with the funds described in paragraph (1) re-
15 ceives appropriate training to carry out the edu-
16 cational services required.

17 “(3) FEDERAL SHARE.—The Federal share of
18 the compensation of work-study students com-
19 pensated under this subsection may exceed 75 per-
20 cent.”.

21 (d) FLEXIBLE USE OF FUNDS.—Section 445 (42
22 U.S.C. 2755) is amended by adding at the end the fol-
23 lowing new subsection:

24 “(d) FLEXIBILITY IN THE EVENT OF A MAJOR DIS-
25 ASTER.—

1 “(1) In the event of a major disaster, an eligi-
2 ble institution located in any area affected by such
3 major disaster, as determined by the Secretary, may
4 make payments under this part to disaster-affected
5 students as follows:

6 “(A) For any academic year during which
7 a major disaster occurs, such an eligible institu-
8 tion may pay wages under this part to disaster-
9 affected students in an amount equal to or less
10 than the amount of wages such students would
11 have been paid under this part had the students
12 been able to complete the work obligation nec-
13 essary to receive work study funds for such aca-
14 demic year.

15 “(B) Wages shall not be awarded to any
16 student who, for the academic year during
17 which a major disaster occurs, was not eligible
18 for work study or was not completing the work
19 obligation necessary to receive work study funds
20 under this part prior to the occurrence of the
21 major disaster.

22 “(C) Any wages awarded to disaster-af-
23 fected students under this subsection shall meet
24 the matching requirements outlined in section
25 443.

1 “(2) DEFINITIONS.—In this subsection:

2 “(A) The term ‘disaster-affected students’
3 means students enrolled at an eligible institu-
4 tion who—

5 “(i) were receiving Federal work study
6 payments from such eligible institution for
7 an academic year prior to the occurrence
8 of a major disaster during such academic
9 year; and

10 “(ii) were prevented from fulfilling
11 their work-study obligations for such aca-
12 demic year due to such major disaster, as
13 determined by the Secretary.

14 “(B) The term ‘major disaster’ has the
15 meaning given such term in section 102(2) of
16 the Robert T. Stafford Disaster Relief and
17 Emergency Assistance Act.”.

Page 367, after line 3, insert the following new sub-
section (and redesignate the succeeding subsections ac-
cordingly):

18 (c) TREATMENT OF COOPERATIVE EDUCATION
19 WORK INCOME.—Section 480(e) (20 U.S.C. 1087vv(e)) is
20 amended—

21 (1) by redesignating paragraphs (2) through
22 (4) as paragraphs (3) through (5), respectively; and

1 (2) by inserting after paragraph (1) the fol-
2 lowing new paragraph:

3 “(2) any income earned from work under a co-
4 operative education program offered by an institu-
5 tion of higher education;”.

Page 400, beginning on line 3, strike paragraphs (1)
through page 402, line 6, and insert the following (and
redesignate the succeeding paragraph accordingly):

6 “(1) IN GENERAL.—Notwithstanding sub-
7 sections (a), (c), and (d), in order to receive any
8 grant or work assistance under section 401, subpart
9 3 of part A, and part C of this title, a student with
10 an intellectual disability (as defined in section
11 768(2)) shall—

12 “(A) be enrolled or accepted for enrollment
13 in a comprehensive transition and postsec-
14 ondary education program for students with in-
15 tellectual disabilities at an institution of higher
16 education;

17 “(B) be maintaining satisfactory progress
18 in the program as determined by the institu-
19 tion, in accordance with standards established
20 by the institution; and

21 “(C) meet the requirements of paragraphs
22 (3), (4), (5), and (6) of subsection (a).

1 “(2) AUTHORITY.—Notwithstanding any other
2 provision of law, unless enacted with specific ref-
3 erence to this section, the Secretary is authorized to
4 waive any statutory provision applicable to the stu-
5 dent financial assistance programs under section
6 401, subpart 3 of part A, or part C of this title, or
7 any institutional eligibility provisions of this title, as
8 the Secretary deems necessary to ensure that pro-
9 grams enrolling students with intellectual disabilities
10 otherwise determined to be eligible under this sub-
11 section may receive such financial assistance.

Page 402, line 7, strike “rules” and insert “regula-
tions”.

Page 405, strike lines 7 through 9 and insert the
following:

12 (a) DISCLOSURE OF POLICIES.—Section 485(a) (20
13 U.S.C. 1092(a)) is amended—

Page 405, after line 9, insert the following new
paragraph:

14 (1) in paragraph (1)—
15 (A) in subparagraph (G), by striking “pro-
16 gram, and”;

Page 405, beginning on line 10, redesignate paragraphs (1), (2), and (3) as subparagraphs (B), (C), and (D), respectively, and move the margins of such subparagraphs (as so redesignated) to the right two ems spaces.

Page 405, strike line 13 and insert “graph (O) and inserting a semicolon; and”.

Page 405, line 15, strike “paragraph” and insert “paragraphs”.

Page 406, line 12, strike the period, close quotation marks, and following period and insert “; and”, and after such line insert the following new subparagraph:

1 “(Q) institutional policies regarding
2 meningoccal vaccinations which may include of-
3 fering the vaccinations through the institution
4 at a cost to the student.”; and

Page 406, before line 13, insert the following new paragraph:

5 (2) by amending paragraph (4) to read as fol-
6 lows:
7 “(4) For purposes of this section, institutions
8 may—
9 “(A) exclude from the information dis-
10 closed in accordance with subparagraph (L) of

1 paragraph (1) the completion or graduation
2 rates of students who leave school to serve in
3 the Armed Forces, on official church missions,
4 or with a recognized foreign aid service of the
5 Federal Government; or
6 “(B) in cases in which the students de-
7 scribed in subparagraph (A) represent 20 per-
8 cent or more of the certificate- or degree-seek-
9 ing, full-time, undergraduate students at an in-
10 stitution, the institution may recalculate the
11 completion or graduation rates of such students
12 by excluding from the calculation described in
13 paragraph (3) the time period during which
14 such students were not enrolled due to the serv-
15 ice described in subparagraph (A) of this para-
16 graph.”.

Page 406, beginning on line 18, strike paragraph (2)
through page 407, line 23, and insert the following:

17 (2) in subparagraph (F)(ii), by inserting after
18 “through (VIII) of clause (I)” the following: “, and
19 for larceny-theft, simple assault, intimidation, and
20 destruction, damage, or vandalism of property,”.

Page 417, line 18, strike “Each” and insert the fol-
lowing:

1 “(1) NOTICE UPON ENROLLMENT.—Each

Page 417, line 21, strike the close quotation marks and following period, and after such line insert the following;

2 “(2) NOTICE AFTER LOSS OF ELIGIBILITY.—
3 Within two weeks of notification by the Secretary
4 that a student has lost eligibility under section
5 484(r) for any grant, loan, or work assistance, an
6 institution of higher education shall provide to each
7 such student affected by the penalties listed under
8 484(r)(1) a separate, clear, and conspicuous written
9 notice that notifies the student of the loss of eligi-
10 bility and advises the student of the ways in which
11 the student can regain eligibility under section
12 484(r)(2).”.

Page 417, before line 22, insert the following new subsection:

13 (e) DISCLOSURE OF ATHLETICALLY RELATED GRAD-
14 UATION RATES.—Section 485(e)(3) (20 U.S.C.
15 1092(e)(3)) is amended to read as follows:

16 “(3) For purposes of this subsection, institu-
17 tions may—

18 “(A) exclude from the reporting require-
19 ments under paragraphs (1) and (2) the com-

1 pletion or graduation rates of students and stu-
2 dent athletes who leave school to serve in the
3 Armed Forces, on official church missions, or
4 with a recognized foreign aid service of the Fed-
5 eral Government; or
6 “(B) in cases in which the students de-
7 scribed in subparagraph (A) represent 20 per-
8 cent or more of the certificate- or degree-seek-
9 ing, full-time, undergraduate students at an in-
10 stitution, the institution may calculate the com-
11 pletion or graduation rates of such students by
12 excluding from the calculations described in
13 paragraph (1) the time period during which
14 such students were not enrolled due to the serv-
15 ice described in subparagraph (A) of this para-
16 graph.”.

Page 418, line 4, strike “REQUIREMENTS” and in-
sert “ESTABLISHED”.

Page 418, beginning on line 12, strike “, and on the
application materials of such institutions”.

Page 418; line 18, insert “and” after the semicolon;
strike lines 19 through 21; and redesignate the suc-
ceeding subparagraphs accordingly.

Page 419, beginning on line 4, strike “limit the” and all that follows through line 5 and insert “authorize the Secretary to require particular policies, procedures, or practices by institutions of higher education with respect to articulation agreements.”.

Page 419, beginning on line 10, strike “, including private nonprofit and for-profit institutions”.

Page 420, line 24, after “degree” insert “or program”.

Page 430, beginning on line 6, strike clause (i) and insert the following new clauses (and redesignate the succeeding clause accordingly):

1 “(i) in the case of loans made by an
2 institution, for each of the institution’s fis-
3 cal years 2009 through 2012, the principal
4 amount of loans made by the institution,
5 based on the expected interest earned less
6 the estimated amount to account for future
7 defaults and loan forgiveness accounted for
8 on an accrual basis, in accordance with
9 Generally Accepted Accounting Principles
10 and related standards and guidance, if the
11 loans are bona fide as evidenced by en-
12 forceable promissory notes, are issued at

1 intervals related to the institution's enroll-
2 ment periods, and are subject to regular
3 loan repayments and collections;

4 " (ii) in the case of loans made by an
5 institution, for the institution's fiscal year
6 2013 and each of the institution's subse-
7 quent fiscal years, only the amount of loan
8 repayments received during the fiscal year;
9 and

Page 435, after line 10, insert the following new
subsection:

10 (f) INSTITUTIONAL CERTIFICATIONS FOR PRIVATE
11 EDUCATIONAL LOANS.—Section 487(a) is further amend-
12 ed by adding at the end the following new paragraph:

13 "(29)(A) The institution will—

14 "(i) upon the request of a private edu-
15 cational lender, acting in connection with
16 an application initiated by a consumer for
17 a private educational loan, provide certifi-
18 cation to such private educational lender—

19 "(I) that the student who initi-
20 ated the application for the private
21 educational loan, or on whose behalf
22 the application was initiated, is en-

1 rolled or is scheduled to enroll at the
2 institution;

3 “(II) of the student’s cost of at-
4 tendance at the institution as deter-
5 mined under part F of this title; and

6 “(III) of the difference between
7 the cost of attendance of the institu-
8 tion and the student’s estimated fi-
9 nancial assistance received under this
10 title and other assistance known to
11 the institution;

12 “(ii) disclose a borrower’s ability to
13 select a private educational lender of the
14 borrower’s choice; and

15 “(iii) inform students about the im-
16 pact of a proposed private educational loan
17 on the students’ potential eligibility for
18 other financial assistance, including Fed-
19 eral financial assistance under this title.

20 “(B) For purposes of this paragraph, the terms
21 ‘private educational lender’ and ‘private educational
22 loan’ have the meanings given in section 140 of the
23 Truth in Lending Act (15 U.S.C. 1631 et seq.).”

Page 437, after line 12, insert the following new section (and redesignate the succeeding sections accordingly):

1 **SEC. 492. TRANSFER OF ALLOTMENTS.**

2 Section 488 (20 U.S.C. 1095) is amended by striking
3 “section 413D.” and inserting “section 413D or 462 (or
4 both).”.

Page 443, line 2, after “graph” insert “, nor shall the agency or association be required to obtain the approval of the Secretary to expand its scope of accreditation to include distance education, provided that the agency or association notifies the Secretary in writing of the change in scope”.

Page 443, after line 9, insert the following new subparagraph (and redesignate the succeeding subparagraphs accordingly):

5 (B) in paragraph (5), by amending sub-
6 paragraph (A) to read as follows:

7 “(A) success with respect to student
8 achievement in relation the institution’s mis-
9 sion, which may include different standards for
10 different institutions or programs, as estab-
11 lished by the institution, including, as appro-
12 priate, consideration of State licensing examina-

1 tions, consideration of course completion, and
2 job placement rates;”;

Page 447, after line 9, insert the following new subsection (and redesignate the succeeding subsection accordingly):

3 (b) RULE OF CONSTRUCTION.—Section 496 is further amended by adding at the end the following new subsection:
4
5

6 “(p) RULE OF CONSTRUCTION.—Nothing in subsection (a)(5) of this section shall restrict the authority
7
8 of—

9 “(1) an accrediting agency or association to set,
10 with the involvement of its members, and to apply
11 accreditation standards to institutions or programs
12 that seek review by the agency or association; or

13 “(2) an institution to develop and use institutional standards to show its success with respect to
14 student achievement, which shall be considered as
15 part of any accreditation review.”.

Page 481, beginning on line 24, strike subsection (e) through page 482, line 2, and redesignate the succeeding subsection accordingly.

Page 492, line 14, strike “subpart 5” and insert “subpart 6”; line 17, strike “**THROUGH 4**” and insert

“**THROUGH 5**”; line 20, strike “through 4” and insert “through 5”; and line 23, strike “or 4” and insert “4, or 5”.

Page 502, after line 23, insert the following new section (and redesignate the succeeding sections accordingly):

1 **SEC. 705. MASTERS DEGREES PROGRAMS AT HISTORI-**
2 **CALLY BLACK COLLEGES AND UNIVERSITIES**
3 **AND OTHER MINORITY SERVING INSTITU-**
4 **TIONS.**

5 Part A of title VII (20 U.S.C. 1134) is further
6 amended by inserting after subpart 4 (as added by section
7 704 of this Act) the following subpart:

8 **“Subpart 5—Masters Degrees Programs at Histori-**
9 **cally Black Colleges and Universities and Other**
10 **Minority Serving Institutions**

11 **“SEC. 723. GRANTS TO ACADEMIC DEPARTMENTS AND PRO-**
12 **GRAMS AT ELIGIBLE INSTITUTIONS.**

13 **“(a) GRANT AUTHORITY.—**

14 **“(1) IN GENERAL.—**From the amounts appro-
15 priated under subsection (g), the Secretary shall
16 make grants to graduate academic departments, pro-
17 grams, and other academic units at historically
18 Black colleges and universities and other minority-
19 serving institutions that provide qualified courses of

1 study leading to a degree in a qualified masters de-
2 gree program described in subsection (d)(1)(B).
3 Such grants shall be used to make fellowship awards
4 to eligible students and may be combined with
5 matching grants from non-Federal sources to
6 strengthen qualified masters degree programs.

7 “(2) ADDITIONAL GRANTS.—From the amounts
8 appropriated under subsection (g), The Secretary
9 may also make grants to consortia and cooperative
10 arrangements among eligible institutions that submit
11 joint proposals, and have formal arrangements de-
12 signed to fulfill the purposes of this subpart.

13 “(b) AWARD AND DURATION OF GRANTS.—

14 “(1) AWARDS.—The Secretary shall make
15 awards to institutions that are eligible under sub-
16 section (d) and that submit an application to the
17 Secretary in accordance with subsection (c). Awards
18 shall be based on the following criteria:

19 “(A) The number of students enrolled in
20 the masters degree program.

21 “(B) The number of students who earned
22 such degrees in the previous year from the pro-
23 gram for which the eligible institution is seek-
24 ing funds.

1 “(C) The average cost of education per
2 student, for all full-time masters degree stu-
3 dents enrolled in the qualified masters degree
4 program.

5 “(D) The quality of the academic program
6 at the institution.

7 “(E) The quality of the application sub-
8 mitted by the institution or consortium.

9 “(2) DURATION AND AMOUNT.—

10 “(A) DURATION.—The Secretary shall
11 award a grant under this subpart for a period
12 of 5 years, which may be renewed for an addi-
13 tional 5 years consistent with subsection (c).

14 “(B) AMOUNT.—The Secretary shall award
15 a grant to an academic department, program,
16 or consortium at an eligible institution of higher
17 education under this subpart for a fiscal year in
18 an amount that is not less than \$100,000, and
19 not greater than \$750,000.

20 “(c) APPLICATION.—

21 “(1) CONTENTS OF APPLICATIONS.—An institu-
22 tion that is eligible under subsection (d) that seeks
23 a grant under this subpart shall submit an applica-
24 tion to the Secretary at such time, in such manner,

1 and accompanied by such information as the Sec-
2 retary may require. The application shall include—

3 “(A) a description of the qualified masters
4 degree program or programs that the institu-
5 tion intends to provide fellowship awards to, in-
6 cluding the number of student awards to be
7 made;

8 “(B) a budget describing the amount of
9 the fellowship awards to students for 2 succes-
10 sive academic years, based on the academic
11 progress of such students and the cost of at-
12 tendance at the eligible institution, except that
13 in no instance shall a graduate student receive
14 a fellowship in excess of the award level pro-
15 vided for such students by the National Science
16 Foundation;

17 “(C) a budget for stipends to students who
18 are awarded fellowships under this subpart in
19 order to encourage highly qualified students to
20 pursue graduate study for the purposes de-
21 scribed in this part; and

22 “(D) a description of activities to be un-
23 dertaken with institutional, private foundation,
24 or State matching funds that will be used to

1 contribute to the increased production of minor-
2 ity masters degree candidates.

3 “(2) PREFERENCE TO CONTINUING GRANT RE-
4 CIPIENTS.—

5 “(A) IN GENERAL.—The Secretary shall
6 make initial grant awards consistent with the
7 criteria in subsection (b)(1), and shall renew
8 such awards if the grantee demonstrates suc-
9 cess in satisfying the criteria in subparagraphs
10 (A) and (B) of such subsection by increasing
11 the number of African Americans and other mi-
12 norities earning masters degrees at the institu-
13 tion based on benchmarks established by the
14 Secretary.

15 “(B) RATABLE REDUCTION.—To the ex-
16 tent that appropriations are insufficient to com-
17 ply with subparagraph (A) and subsection
18 (b)(2)(B), available funds shall be distributed
19 by ratably reducing the amounts required to be
20 awarded under subsection (b)(2)(B).

21 “(d) INSTITUTIONAL ELIGIBILITY.—

22 “(1) QUALIFIED MASTERS DEGREE PRO-
23 GRAMS.—

24 “(A) IN GENERAL.—To be eligible to apply
25 for a grant under this part, an applicant shall

1 be an academic department, program, or unit at
2 an institution of higher education that is within
3 the meaning of the term ‘part B institution’ as
4 defined in section 322(2), that offers a qualified
5 masters degree program, and that is specifically
6 enumerated in paragraph (2), or a consortium
7 of such institutions.

8 “(B) QUALIFIED MASTERS DEGREE PRO-
9 GRAM.—For purposes of this subpart, the term
10 ‘qualified masters degree program’ means a
11 program of study leading to a masters degree
12 in the physical or natural sciences, mathe-
13 matics, engineering, computer science, informa-
14 tion technology, nursing, allied health, or re-
15 lated scientific or health field identified by the
16 Secretary.

17 “(C) LIMITATION.—No department, pro-
18 gram, or unit shall be eligible to apply unless
19 the qualified masters degree program has been
20 in existence and awarded such degrees for at
21 least four years.

22 “(2) ENUMERATED INSTITUTIONS.—For pur-
23 poses of paragraph (1)(A), the institutions enumer-
24 ated in this paragraph are—

25 “(A) Albany State University;

- 1 “(B) Alcorn State University;
- 2 “(C) Chicago State University;
- 3 “(D) Columbia Union College;
- 4 “(E) Coppin State University;
- 5 “(F) Elizabeth City State University;
- 6 “(G) Fayetteville State University;
- 7 “(H) Fisk University;
- 8 “(I) Fort Valley State University;
- 9 “(J) Grambling State University;
- 10 “(K) Kentucky State University;
- 11 “(L) Long Island University, Brooklyn
- 12 campus;
- 13 “(M) Mississippi Valley State University;
- 14 “(N) Robert Morris College;
- 15 “(O) Savannah State University;
- 16 “(P) South Carolina State University;
- 17 “(Q) University of Arkansas, Pine Bluff;
- 18 “(R) Virginia State University;
- 19 “(S) West Virginia State University;
- 20 “(T) Winston-Salem State University; and
- 21 “(U) York College, The City University of
- 22 New York.
- 23 “(3) LIMITATION.—No institution that is eligi-
- 24 ble for and receives an award under section 326 for

1 a fiscal year shall be eligible to apply for, or receive
2 funds under this subpart for the same fiscal year.

3 “(e) MATCHING FUNDS RULE.—Each eligible insti-
4 tution or consortium that receives an award under this
5 subpart, may elect to use up to 25 percent of the total
6 grant to carry out activities designed to strengthen its
7 qualified masters degree program. An institution that
8 elects to use funds for strengthening a qualified masters
9 degree program shall provide an equal amount for such
10 purpose from institutional, private foundation, or State
11 sources. Matching funds must supplement, not supplant,
12 existing resources available at the time of the Secretary’s
13 award.

14 “(f) USES OF FUNDS.—Funds made available under
15 this section shall be used in accordance with the applica-
16 tion under subsection (c).

17 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated \$25,000,000 for fiscal
19 year 2009 and such sums as may be necessary for each
20 of the 4 succeeding fiscal years.”.

Page 510, strike lines 4 through 9 and insert “shall
be \$5,000.”.

Page 513, line 15, strike the close quotation marks
and following period, and after line 15 insert the fol-
lowing new paragraph:

1 “(6) Establishment of centers to incorporate
2 education in quality and safety into the preparation
3 of medical and nursing students, through grants to
4 medical schools, nursing schools, and osteopathic
5 schools. Such grants shall be used to assist in pro-
6 viding courses of instruction that specifically equip
7 students to understand the causes and remedies for
8 medical error, medically-induced patient injuries and
9 complications, and other defects in medical care; en-
10 gage effectively in personal and systemic efforts to
11 continually reduce medical harm; and improve pa-
12 tient care and outcomes, as recommended by the In-
13 stitute of Medicine.”.

Page 521, line 13, strike “The Secretary” and insert
“The Office of Postsecondary Education”.

Page 522, line 10, strike “disabilities,” and insert
“disabilities and”; and on line 11, strike “, and disability
support service personnel”.

Page 523, line 19, strike “or” and insert “and”.

Page 524, line 3, strike “and maintaining” and in-
sert “, maintaining, and updating”.

Page 524, line 5, after “education,” insert “or for
expanding and updating an existing database of disabil-

ities support services information with respect to institutions of higher education.”.

Page 524, line 9, after “shall include” insert “available”.

Page 524, beginning on line 21, strike paragraph (4) and insert the following:

1 “(4) PROFESSIONAL STANDARDS FOR DIS-
2 ABILITY SUPPORT PERSONNEL.—The Center shall
3 work with organizations and individuals with proven
4 expertise related to disability support services for
5 postsecondary students with disabilities to consoli-
6 date, evaluate, improve upon, and disseminate infor-
7 mation related to professional standards and best
8 practices for disability support services personnel
9 and offices in institutions of higher education.

Page 525, line 4, strike “The Center” and insert “Not later than 3 years after the establishment of the Center, and every 2 years thereafter, the Center”.

Page 525, strike line 5, and insert “prepare and disseminate a report to Congress and the Secretary analyzing”.

Page 525, line 9, strike “ths” and insert “this”, on line 10, insert “annual” before “enrollment”, and on line

12, insert before the semicolon the following: “from existing data”.

Page 526, beginning on line 1, strike “Such personnel” and all that follows through line 5.

Page 542, line 13, strike “The” and insert “Not later than 3 years after the date of the first grant award under this section, the”.

Page 542, strike line 14 and insert “mit to Congress a report that”.

Page 544, beginning on line 13, strike section 768 and insert the following:

1 **“SEC. 768. DEFINITIONS.**

2 “In this Act:

3 “(1) COMPREHENSIVE TRANSITION AND POST-
4 SECONDARY PROGRAM FOR STUDENTS WITH INTEL-
5 LECTUAL DISABILITIES.—The term ‘comprehensive
6 transition and postsecondary program for students
7 with intellectual disabilities’ means a degree, certifi-
8 cate, or nondegree program that is—

9 “(A) offered by an institution of higher
10 education;

11 “(B) designed to support students with an
12 intellectual disability who are seeking to con-
13 tinue academic, vocational, and independent liv-

1 ing instruction at an institution of higher edu-
2 cation in order to prepare for gainful employ-
3 ment and independent living;

4 “(C) includes an advising and curriculum
5 structure; and

6 “(D) requires students to participate on at
7 least a half-time basis, as determined by the in-
8 stitution, with such participation focusing on
9 academic components such as reading, language
10 arts, or math, and occurring through a com-
11 bination of one or more of the following activi-
12 ties:

13 “(i) Regular enrollment in courses of-
14 fered by the institution.

15 “(ii) Auditing or participating in
16 courses offered by the institution for which
17 the student does not receive regular aca-
18 demic credit.

19 “(iii) Enrollment in noncredit, non-
20 degree courses.

21 “(iv) Participation in internships or
22 apprenticeships.

23 “(2) STUDENT WITH AN INTELLECTUAL DIS-
24 ABILITY.—The term ‘student with an intellectual
25 disability’ means a student who is—

1 “(A) an individual whose mental retarda-
2 tion or other significant cognitive impairment
3 substantially impacts the individual’s intellec-
4 tual and cognitive functioning; and

5 “(B)(i) a student eligible for assistance
6 under the Individuals with Disabilities Edu-
7 cation Act who has completed secondary school;
8 or

9 “(ii) an individual who was, but is no
10 longer, eligible for assistance under the Individ-
11 uals with Disabilities Education Act because
12 the individual has exceeded the maximum age
13 for which the State in which the student resides
14 provides a free appropriate public education.

Page 545, lines 7, 18, 20, and 22, strike “Sec-
retary” and insert “Office of Postsecondary Education”.

Page 545, beginning on line 24, strike paragraph (1)
and insert the following:

15 “(1) are located in geographically diverse, un-
16 derserved areas; or

Page 548, beginning on line 21, strike “Not later”
and all that follows through “Secretary” on line 23, and
insert “Not later than 5 years after the date of the first

grant award under this section, the Office of Postsecondary Education”.

Page 549, line 7, strike “**ACCREDITATION**”.

Page 549, line 9, strike “Secretary” and insert “Office of Postsecondary Education”.

Page 549, line 13, after “and” insert “recommendations related to the”.

Page 549, lines 14 and 24, strike “model”.

Page 550, strike line 17 and all that follows through page 551, line 7; on page 551, beginning on line 8, redesignate subparagraph (B) and clauses (i) through (v) thereof as paragraph (5) and subparagraphs (A) through (E), respectively; and move such redesignate paragraph 2 em spaces to the left.

Page 552, line 6, strike “and”; on line 8, strike the period and insert “; and”; and after line 8, insert the following (and redesignate the succeeding subsection accordingly):

1 “(10) convene a workgroup to develop rec-
2 ommendations on criteria, standards, and compo-
3 nents of such programs as described in paragraph
4 (5), to include the participation of—

5 “(A) an expert in higher education;

1 “(B) an expert in special education;

2 “(C) a disability organization that rep-
3 resents students with intellectual disabilities;
4 and

5 “(D) a national, State, or regional accred-
6 iting agency or association recognized by the
7 Secretary under subpart 2 of part H of title IV.

8 “(c) REPORT.—No later than 5 years after the date
9 of the establishment of the coordinating center under this
10 section, such center shall report to the Secretary, the Con-
11 gress, and the National Advisory Committee on Institu-
12 tional Quality and Integrity on the recommendations of
13 the workgroup described in subsection (b)(10).

Page 553, line 16, strike “section 435(d)(5)(J)” and
insert “section 435(j)”.

Page 554, line 18, after “program students” insert
“, in each of the institution’s nursing programs (asso-
ciate, baccalaureate, or advanced nursing degree pro-
gram),”.

Page 554, line 23, after “average number” insert
“in each of the institution’s nursing programs”.

Page 557, beginning on line 18, strike “fund release
time for qualified nurse employees, so that” and insert
“ensure that”.

Page 559, line 6, after “higher education” insert the following: “, including institutions providing alternative methods of delivery of instruction in addition to on-site learning”.

Page 560, line 2, after “technologies” insert the following: “and to expand methods of delivery of instruction to include alternatives in addition to on-site learning”.

Page 560, line 22, after “program” insert the following: “if the program requires a clinical site”.

Page 560, line 24, insert “at least” before “a”.

Page 561, line 2, insert “at least” before “a”.

Page 561, line 4, strike “class schedule” and insert “program requirements, as necessary”.

Page 563, after line 3, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

1 “(3) the provision of accommodations for stu-
2 dents with disabilities on college entrance and grad-
3 uate admissions tests, including—

4 “(A) the frequency of, and approval rate
5 for, accommodations requests;

6 “(B) documentation requirements for ac-
7 commodations requests and criteria used to de-

1 termine if an accommodation is appropriate;
2 and
3 “(C) challenges facing students in access-
4 ing reasonable accommodations on such tests;”.

Page 565, line 10, strike “COMPETITIVE”; and on line 12, strike “on a competitive basis”.

Page 565, line 14, strike “year,” and insert “year (A)”; and on line 19, insert before the period the following: “; (B) are public institutions of higher education that have a net tuition that is in the lowest quartile of comparable institutions; or (C) are public institutions of higher education that have a tuition increase of less than \$500 for a full-time undergraduate student”.

Page 565, line 18, on page 567, line 8, and on page 568, line 2 and line 13, strike “higher” and insert “post-secondary”.

Page 566, beginning on line 18, strike paragraphs (2) and (3) through page 568, line 6, and insert the following:

5 “(2) 4-YEAR INSTITUTIONS.—An institution of
6 higher education that provides a program of instruc-
7 tion for which it awards a bachelor’s degree complies
8 with the requirements of this paragraph if—

1 “(A) for a public institution of higher edu-
2 cation, such institution’s tuition is in the lowest
3 quartile of comparable institutions; or

4 “(B) for any institution of higher edu-
5 cation, such institution guarantees that for any
6 academic year (or the equivalent) beginning on
7 or after July 1, 2008, and for each of the 4
8 succeeding continuous academic years, the net
9 tuition charged to an undergraduate student
10 will not exceed—

11 “(i) for a public institution of higher
12 education, \$500 per year for a full-time
13 undergraduate student; or

14 “(ii) for any other institution of high-
15 er education—

16 “(I) the amount that the student
17 was charged for an academic year at
18 the time he or she first enrolled in the
19 institution of higher education, plus

20 “(II) the product of the percent-
21 age increase in the higher education
22 price index for the prior academic
23 year, or the most recent prior aca-
24 demic year for which data is available,

1 multiplied by the amount determined
2 under subclause (I).

3 “(3) LESS-THAN 4-YEAR INSTITUTIONS.—An
4 institution of higher education that does not provide
5 a program of instruction for which it awards a bach-
6 elor’s degree complies with the requirements of this
7 paragraph if—

8 “(A) for a public institution of higher edu-
9 cation, such institution’s tuition is in the lowest
10 quartile of comparable institutions; or

11 “(B) for any institution of higher edu-
12 cation, such institution guarantees that for any
13 academic year (or the equivalent) beginning on
14 or after July 1, 2008, and for each of the 1.5
15 succeeding continuous academic years, the net
16 tuition charged to an undergraduate student
17 will not exceed—

18 “(i) for a public institution of higher
19 education, \$500 per year for a full-time
20 undergraduate student; or

21 “(ii) for any other institution of high-
22 er education—

23 “(I) the amount that the student
24 was charged for an academic year at

1 the time he or she first enrolled in the
2 institution of higher education, plus
3 “(II) the product of the percent-
4 age increase in the higher education
5 price index for the prior academic
6 year, or the most recent prior aca-
7 demic year for which data is available,
8 multiplied by the amount determined
9 under subclause (I).

Page 568, line 14, after “year,” insert “and, with respect to any public institution of higher education, has a tuition that is not in the lowest quartile of comparable institutions”.

Page 569, beginning on line 20, strike paragraph (2) and insert the following:

10 “(2) POSTSECONDARY EDUCATION PRICE
11 INDEX.—The term ‘postsecondary education price
12 index’ means the postsecondary education price
13 index developed pursuant to section 133(i).

Page 604, line 22, strike “contract with” and insert “award a grant to”.

Page 623, line 23, strike “and”; page 624, line 5, strike the period and insert “; and”; and after line 5, insert the following subparagraph:

1 “(E) acquisition and installation of access
2 control, video surveillance, intrusion detection,
3 and perimeter security technologies and sys-
4 tems.

Page 626, line 2, insert “natural or man-made”
after “event of a”.

Page 632, line 22, strike “EDUCATION” and insert
“EDUCATIONAL”; and line 23, strike “education” and in-
sert “educational”.

Page 633, line 1, strike “all of the schools of which
meet” and insert “that is designated with”.

Page 633, line 13, strike “or less than part-time”.

Page 633, line 22, insert before the period “or the
recognized equivalent of such a diploma”.

Page 638, after line 8, insert the following new sub-
section:

5 “(d) PREFERENCE IN SELECTION.—In determining
6 which applications to approve for a grant under this sec-
7 tion, the Secretary shall give priority to applications from
8 partnerships that include one or more regional employers
9 that are located in a rural area.

Page 646, line 19, page 647, line 7 and line 18, page 648, line 17, page 651, line 17 and line 21, page 652, line 11 and line 23, and page 653, line 22, strike “Commerce” and insert “Education”.

Page 658, line 19, after “Secretary” insert “, in consultation with the Administrator of the Environmental Protection Agency,”.

Page 664, line 4, after “Education” insert “, in consultation with the Administrator of the Environmental Protection Agency,”.

Page 667, line 18, strike “and” after the semicolon; line 20, strike the period and insert “; and”; and after line 20, insert the following:

1 “(F) the Office of Science and Technology
2 Policy.

Page 675, line 7, strike “an institution” and insert “one or more institutions”.

Page 675, after line 23, insert the following new paragraph:

3 “(3) EXISTING PARTNERSHIPS.—Nothing in
4 this subsection shall be construed to prohibit a part-
5 nership that is in existence on the date of enactment

1 of this section from applying for a grant under this
2 section.

Page 689, line 22, strike “10 years” and insert “20 years”.

Page 695, line 10, strike “Such” and insert “The initial”.

Page 695, line 11, after “Education” insert “from a list of recommendations received from the House of Representatives and the Senate”.

Page 696, line 3, strike “may use Trust funds” and insert “shall use Trust funds to support research that is in the public interest but that is unlikely to be undertaken entirely with private funds”.

Page 696, line 4, strike “basic” and insert “precompetitive”.

Page 696, beginning on line 5, strike “demonstrations of innovative learning and assessment systems” and insert “demonstrations, and assessments of prototypes of innovative digital learning and information technologies”.

Page 696, line 8, before “testing” insert “pilot”, and line 9, strike “systems; and” and insert “prototype systems;”.

Page 696, line 11, strike “effective approaches to learning.” and insert “effective, innovative digital approaches to learning supported by this Act; and”.

Page 696, after line 11, insert the following:

1 (D) to support innovative digital media
2 education programs for parents, teachers, and
3 children to help children in the United States
4 learn digital safety and build technology lit-
5 eracy.

Page 696, line 20, strike “(with or without private partners)” and insert “with or without for-profit partners, and to for-profit organizations”, and

Page 700, after line 13, insert the following new sections:

6 **SEC. 814. STUDY ON REGIONAL SENSITIVITY IN THE NEEDS**
7 **ANALYSIS FORMULA.**

8 (a) **STUDY.**—The Comptroller General shall conduct
9 a study to review the methodology that is used to deter-
10 mine the expected family contribution under part F of title
11 IV of the Higher Education Act of 1965.

12 (b) **STUDY COMPONENTS.**—The study conducted
13 under subsection (a) shall identify and evaluate the need
14 analysis formula under part F of title IV of the Higher

1 Education Act of 1965 and examine the need for regional
2 sensitivity in need analysis. The study shall include—

3 (1) the factors that are used to determine a
4 student's expected family contribution under part F
5 of title IV of the Higher Education Act;

6 (2) the varying allowances that are made in cal-
7 culating the expected family contribution;

8 (3) the effects of the income protection allow-
9 ance on all aid recipients; and

10 (4) options for modifying the income protection
11 allowance to reflect the significant differences in the
12 cost of living in various parts of the United States.

13 (c) REPORT.—Not later than one year after the date
14 of enactment of this Act, Comptroller General shall report
15 to the authorizing committees (as such term is defined in
16 section 103 of the Higher Education Act of 1965 (20
17 U.S.C. 1003)) on the results of the study conducted under
18 this section.

19 **SEC. 815. DYSLEXIA STUDY.**

20 (a) INDEPENDENT EVALUATION.—The Secretary of
21 Education shall enter into an agreement with the Center
22 for Education of the National Academy of Sciences for
23 a scientifically based study of the quality of teacher edu-
24 cation programs, to determine if teachers are adequately
25 prepared to meet the needs of students with reading and

1 language processing challenges, including dyslexia. Such
2 study shall—

3 (1) establish the prevalence of dyslexia and
4 other processing difficulties in the general popu-
5 lation by conducting a review of existing research
6 and available relevant data; and

7 (2) conduct a survey of institutions of higher
8 education to provide data on the extent to which
9 teacher education programs are based on the essen-
10 tial components of reading instruction and scientif-
11 ically valid research.

12 (b) COMPONENTS.—The study conducted under sub-
13 section (a) shall be designed to provide statistically reliable
14 information on—

15 (1) the number, type of courses, and credit
16 hours required to meet the requirements of the read-
17 ing degree programs; and

18 (2) the extent to which the content of the read-
19 ing degree programs are based on—

20 (A) the essentials of reading instruction
21 and scientifically valid research, including pho-
22 nemic awareness, phonics, fluency, vocabulary,
23 and comprehension; and

24 (B) early intervention strategies based on
25 scientific evidence concerning challenges to the

1 development of language processing capacity,
2 specifically dyslexia, and the extent to which
3 such strategies are effective in preventing read-
4 ing failure before it occurs.

5 (c) SCOPE.—The National Academy of Sciences shall
6 select for participation in the evaluation under subsection
7 (a) a diverse group of institutions of higher education with
8 respect to size, mission, and geographic distribution.

9 (d) INTERIM AND FINAL REPORTS.—The National
10 Academy of Sciences shall submit to the Secretary of Edu-
11 cation, the Committee on Health, Education, Labor and
12 Pensions of the Senate, and the Committee on Education
13 and Labor of the House of Representatives—

14 (1) an interim report regarding the study under
15 subsection (a) not later than 9 months after the
16 award of the contract to the Center for Education,
17 as specified in this Act; and

18 (2) a final report summarizing the findings,
19 conclusions, and recommendations of such study not
20 later than 18 months after the award of such con-
21 tract.

22 (e) TASK FORCE.—

23 (1) ESTABLISHMENT.—Upon completion of the
24 final report under subsection (d)(2), the Secretary of
25 Education shall assemble a task force to make policy

1 recommendations regarding the findings of the re-
2 port to the Secretary.

3 (2) MEMBERSHIP.—The membership of the
4 task force under this subsection shall include chief
5 State school officers, State reading consultants, a
6 panel of master teachers, national reading experts,
7 and researchers with expertise in the relevant fields.

8 (3) PUBLIC HEARINGS.—The task force under
9 this subsection shall hold public hearings to provide
10 an opportunity for public comment on the results of
11 the findings of the task force.

12 **SEC. 816. STUDY AND REPORT ON BORROWER REPAYMENT**
13 **PLANS.**

14 (a) STUDY.—The Secretary of Education shall con-
15 duct a study—

16 (1) on the impact of the standard 10-year stu-
17 dent loan repayment term on the ability of under-
18 graduate borrowers in low-income areas, including
19 Puerto Rico, to repay their loans made under title
20 IV, part B, of the Higher Education Act of 1965;
21 and

22 (2) to examine the extent to which longer pay-
23 ment terms would assist borrowers in such low-in-
24 come areas in reducing their monthly loan payments.

1 (b) REPORT.—Not later than 1 year after the date
2 of enactment of this title, the Secretary shall submit a re-
3 port to Congress on the results of the study required by
4 this section.

5 **SEC. 817. NURSING SCHOOL CAPACITY.**

6 (a) FINDINGS.—The Congress finds as follows:

7 (1) Researchers in the field of public health
8 have identified the need for a national study to iden-
9 tify constraints encountered by schools of nursing in
10 graduating the number of nurses sufficient to meet
11 the health care needs of the United States.

12 (2) The shortage of qualified registered nurses
13 has adversely affected the health care system of the
14 United States.

15 (3) Individual States have had varying degrees
16 of success with programs designed to increase the
17 recruitment and retention of nurses.

18 (4) Schools of nursing have been unable to pro-
19 vide a sufficient number of qualified graduates to
20 meet the workforce needs.

21 (5) Many nurses are approaching the age of re-
22 tirement, and the problem worsens each year.

23 (6) In 2004, an estimated 125,000 applications
24 from qualified applicants were rejected by schools of

1 nursing, due to a shortage of faculty and a lack of
2 capacity for additional students.

3 (b) STUDY WITH RESPECT TO CONSTRAINTS WITH
4 RESPECT TO SCHOOLS OF NURSING.—

5 (1) IN GENERAL.—The Secretary shall request
6 the Institute of Medicine of the National Academy
7 of Sciences to enter into an agreement under which
8 the Institute conducts a study for the purpose of—

9 (A) identifying constraints encountered by
10 schools of nursing in admitting and graduating
11 the number of registered nurses necessary to
12 ensure patient safety and meet the need for
13 quality assurance in the provision of health
14 care; and

15 (B) developing recommendations to allevi-
16 ate the constraints on a short-term and long-
17 term basis.

18 (2) CERTAIN COMPONENTS.—The Secretary
19 shall ensure that the agreement under paragraph (1)
20 provides that the study under such subsection will
21 include information on the following:

22 (A) The trends in applications for attend-
23 ance at schools of nursing that are relevant to
24 the purpose described in such subsection, in-
25 cluding trends regarding applicants who are ac-

1 cepted for enrollment and applicants who are
2 not accepted, particularly qualified applicants
3 who are not accepted.

4 (B) The number and demographic charac-
5 teristics of entry-level and graduate students
6 currently enrolled in schools of nursing, the re-
7 tention rates at the schools, and the number of
8 recent graduates from the schools, as compared
9 to previous years and to the projected need for
10 registered nurses based on two-year, five-year,
11 and ten-year projections.

12 (C) The number and demographic charac-
13 teristics of nurses who pursue graduate edu-
14 cation in nursing and non-nursing programs
15 but do not pursue faculty positions in schools of
16 nursing, the reasons therefor, including any
17 regulatory barriers to choosing to pursue such
18 positions, and the effect of such decisions on
19 the ability of the schools to obtain adequate
20 numbers of faculty members.

21 (D) The extent to which entry-level grad-
22 uates of the schools are satisfied with their edu-
23 cational preparation, including their participa-
24 tion in nurse externships, internships, and resi-

1 dency programs, and to which they are able to
2 effectively transition into the nursing workforce.

3 (E) The satisfaction of nurse managers
4 and administrators with respect to the prepara-
5 tion and performance levels of entry-level grad-
6 uates from the schools after one year, three
7 years, and five years of practice, respectively.

8 (F) The extent to which the current salary,
9 benefit structures, and characteristics of the
10 workplace, including the number of nurses who
11 are presently serving in faculty positions, influ-
12 ence the career path of nurses who have pur-
13 sued graduate education.

14 (G) The extent to which the use of innova-
15 tive technologies for didactic and clinical nurs-
16 ing education might provide for an increase in
17 the ability of schools of nursing to train quali-
18 fied nurses.

19 (3) RECOMMENDATIONS.—Recommendations
20 under paragraph (2)(B) may include recommenda-
21 tions for legislative or administrative changes at the
22 Federal or State level, and measures that can be
23 taken in the private sector—

24 (A) to facilitate the recruitment of stu-
25 dents into the nursing profession;

1 (B) to facilitate the retention of nurses in
2 the workplace; and

3 (C) to improve the resources and ability of
4 the education and health care systems to pre-
5 pare a sufficient number of qualified registered
6 nurses.

7 (4) METHODOLOGY OF STUDY.—

8 (A) SCOPE.—The Secretary shall ensure
9 that the agreement under paragraph (1) pro-
10 vides that the study under such subsection will
11 consider the perspectives of nurses and physi-
12 cians in each of the various types of inpatient,
13 outpatient, and residential facilities in the
14 health care delivery system; faculty and admin-
15 istrators of schools of nursing; providers of
16 health plans or health insurance; and con-
17 sumers.

18 (B) CONSULTATION WITH RELEVANT OR-
19 GANIZATION.—The Secretary shall ensure that
20 the agreement under paragraph (1) provides
21 that relevant agencies and organizations with
22 expertise on the nursing shortage will be con-
23 sulted with respect to the study under such sub-
24 section, including but not limited to the fol-
25 lowing:

- 1 (i) The Agency for Healthcare Re-
2 search and Quality.
- 3 (ii) The American Academy of Nurs-
4 ing.
- 5 (iii) The American Association of Col-
6 leges of Nursing.
- 7 (iv) The American Nurses Associa-
8 tion.
- 9 (v) The American Organization of
10 Nurse Executives.
- 11 (vi) The National Institute of Nursing
12 Research.
- 13 (vii) The National League for Nurs-
14 ing.
- 15 (viii) The National Organization for
16 Associate Degree Nursing.
- 17 (ix) The National Student Nurses As-
18 sociation.
- 19 (5) REPORT.—The Secretary shall ensure that
20 the agreement under paragraph (1) provides that
21 not later than 18 months after the date of the enact-
22 ment of this section, a report providing the findings
23 and recommendations made in the study under such
24 subsection will be submitted to the Secretary, the
25 Committee on Energy and Commerce of the House

1 of Representatives, and the Committee on Health,
2 Education, Labor, and Pensions of the Senate.

3 (6) OTHER ORGANIZATION.—If the Institute de-
4 clines to conduct the study under paragraph (1), the
5 Secretary may enter into an agreement with another
6 appropriate private entity to conduct the study.

7 (c) DEFINITIONS.—For purposes of this section:

8 (1) The term “Institute” means the Institute of
9 Medicine of the National Academy of Sciences.

10 (2)(A) The term “school of nursing” means a
11 collegiate, associate degree, or diploma school of
12 nursing in a State.

13 (B) The terms “collegiate school of nursing”,
14 “associate degree school of nursing”, and “diploma
15 school of nursing” have the meanings given to such
16 terms in section 801 of the Public Health Service
17 Act.

18 (3) The term “Secretary” means the Secretary
19 of Education.

20 **SEC. 818. STUDY OF THE IMPACT OF STUDENT LOAN DEBT**
21 **ON PUBLIC SERVICE.**

22 (a) STUDY.—The Secretary of Education, in con-
23 sultation with the Office of Management and Budget, is
24 authorized to coordinate with an organization with exper-
25 tise in the field of public service, such as the National

1 Academy of Public Administrators or the American Soci-
2 ety for Public Administration, to coordinate with inter-
3 ested parties to conduct a study of how student loan debt
4 levels impact the decisions of graduates of postsecondary
5 and graduate education programs to enter into public
6 service careers. Such study shall include—

7 (1) an assessment of the challenges to recruit-
8 ing and retaining well-qualified public servants, in-
9 cluding the impact of student loan debt;

10 (2) an evaluation of existing Federal programs
11 to recruit and retain well-qualified public servants;

12 (3) an evaluation of whether additional Federal
13 programs could increase the number of graduates of
14 postsecondary and graduate education programs who
15 enter careers in public service; and

16 (4) recommendations related to any potential
17 pilot programs, including an academy for public
18 service, that could be used to encourage new grad-
19 uates of postsecondary and graduate education pro-
20 grams to enter public service careers.

21 (b) REPORT.—Not later than one year after the date
22 of the enactment of this Act, the Secretary of Education,
23 in consultation with the Office of Management and Budg-
24 et, shall submit to Congress a report related to the find-
25 ings of the study conducted under subsection (a).

Page 701, line 20, strike “(I)”;

on page 702, line 2, strike “or” and insert “and”; and strike lines 3 and 4.

Page 702, strike lines 13 through 19 and insert the following: “by the State that has adopted and implemented the standards and assessments selected under subparagraph (A)(i); and”.

Page 703, beginning on line 19, strike subparagraph (A) through page 704, line 3, and insert the following:

- 1 (A) in paragraph (1), by striking the sec-
2 ond sentence;

Page 704, beginning on line 9, strike “Rochester Institute of Technology” and insert “institution of higher education”.

Page 706, strike lines 14 through 17 and insert the following:

- 3 (4) in paragraph (3)(B), by striking “of the in-
4 stitution of higher education” and all that follows
5 through “section 203” and inserting “of NTID pro-
6 grams and activities”.

Page 708, line 16, strike “NTID or the University and” and insert “the University or the NTID,”; and on line 17, after “United States” insert “, and are not en-

rolled in a degree program at the University or the NTID”.

Page 709, line 16, before the period insert the following: “, or a country that was a developing country for any academic year during the student’s period of uninterrupted enrollment in a degree program at the University or NTID, except that such a surcharge shall not be adjusted retroactively”.

Page 710, line 20, strike “\$4,825” and insert “\$5,345”.

Page 710, lines 20 and 22, strike “1999” and insert “2005”.

Page 730, line 16, strike “or Federal”.

Page 730, beginning on line 23, strike “, and to the Federal Bureau of Prisons,”.

Page 731, line 14, and page 734, beginning on lines 4 and 18, strike “and the Federal Bureau of Prisons”.

Page 731, beginning on line 19, and page 732, line 14, strike “or the Federal Bureau of Prisons”.

Page 733, lines 13 and 16, strike “and Federal”.

Page 733, beginning on line 22, strike “and Federal Bureau of Prisons entity”.

Page 735, line 4, strike “, the Federal Bureau of Prisons,”.

Page 735, beginning on line 17, strike subsections (g) and (h) through page 736, line 13, and insert the following (and redesignate the succeeding subsection accordingly):

1 “(g) ALLOCATION OF FUNDS.—From the funds ap-
2 propriated pursuant to subsection (h) for each fiscal year,
3 the Secretary shall allot to each State an amount that
4 bears the same ratio to such funds as the total number
5 of incarcerated individuals in such State bears to the total
6 number of such incarcerated individuals in all States.

Page 748, line 25, after “including” insert “off-campus housing safety,”.

Page 749, line 16, after “information” insert “(including ways to increase off-campus housing safety)”.

Page 751, after line 4, insert the following new subsection:

7 (e) SENSE OF THE HOUSE OF REPRESENTATIVES.—
8 It is the sense of the House of Representatives that in
9 order to increase awareness of the importance of student
10 safety in off-campus housing that is located in the areas

1 surrounding colleges and universities, the following should
2 be encouraged:

3 (1) The creation of chapters at colleges and
4 universities that aim to raise awareness of the issue
5 of off-campus student safety.

6 (2) Public awareness on the benefits of security
7 measures that may increase the safety of students
8 living in off-campus housing.

9 (3) Collaborative partnerships between Federal
10 agencies, local law enforcement agencies, non-profit
11 organizations, colleges and universities, and commu-
12 nities to disseminate information and best practices
13 related to off-campus housing safety for students.

Page 751, beginning on line 5, strike section 953
and insert the following:

14 **SEC. 953. PRIVATE LOAN FORGIVENESS.**

15 Notwithstanding any other provision of law—

16 (1) a public or private institution of higher edu-
17 cation may provide an officer or employee of any
18 branch of the United States Government, of any
19 independent agency of the United States, or of the
20 District of Columbia who is a current or former stu-
21 dent of such institution, financial assistance for the
22 purpose of repaying a student loan or providing for-
23 bearance of student loan repayment: Provided, that

1 such repaying or providing forbearance is provided
2 to any such officer or employee in accordance with
3 a written, published policy of the institution relating
4 to repaying or providing forbearance, respectively,
5 for students or former students who perform public
6 service; and

7 (2) an officer or employee of any branch of the
8 United States Government, of any independent
9 agency of the United States, or of the District of
10 Columbia may receive repayment or forbearance per-
11 mitted under paragraph (1).

Page 765, line 23, page 770, line 9, and page 784,
line 17, strike “part B of”.

Page 766, line 12, and page 770, line 23, after
“credit plan,” insert “a reverse mortgage transaction.”

Page 768, beginning on line 7, strike clause (i) and
insert the following:

12 “(i) standard material, activities, or
13 programs on issues related to a loan, de-
14 fault aversion, default prevention, or finan-
15 cial literacy, such as a brochure, a work-
16 shop, or training;

Page 768, line 19, strike “or”; on page 769, line 2, strike “and”; and after line 2 insert the following new clauses:

1 “(iv) the provision of financial literacy
2 counseling or services to students or par-
3 ents, including counseling or services pro-
4 vided in coordination with a covered edu-
5 cational institution, to the extent that such
6 counseling or services—

7 “(I) are not undertaken to secure
8 applications for private educational
9 loans or to secure private educational
10 loan volume;

11 “(II) are not undertaken to se-
12 cure applications or loan volume for
13 any loan made, insured, or guaranteed
14 under part B of title IV of the Higher
15 Education Act of 1965; and

16 “(III) do not promote the prod-
17 ucts or services of any private edu-
18 cational lender;

19 “(v) philanthropic contributions to a
20 covered institution from a private edu-
21 cational lender that are unrelated to edu-
22 cational loans, to the extent that such con-

1 tributions are disclosed pursuant to para-
2 graphs (1) and (2) of section 153(a) of the
3 Higher Education Act of 1965, if applica-
4 ble; or

5 “(vi) State education grants, scholar-
6 ships, or financial aid funds administered
7 by or on behalf of a State; and

Page 770, line 24, strike “mortgage transaction,”
and insert “mortgage transaction (as those terms are de-
fined in section 103 of the Truth in Lending Act),”.

Page 774, strike lines 13 and 14 and insert the fol-
lowing:

8 (ii) by inserting “128(e)(8), or” after
9 “125,”; and

Page 778, line 20, after the period insert the fol-
lowing: “The form of such written acknowledgment shall
be subject to the regulations of the Board.”.

Page 781, beginning on line 19, strike paragraph (4)
and insert the following:

10 “(4) INSTITUTIONAL CERTIFICATION RE-
11 QUIRED.—Before a creditor may issue any funds
12 with respect to an extension of credit described in
13 paragraph (1), the creditor shall obtain from the rel-

1 evant institution of higher education such institu-
2 tion's certification of—

3 “(A) the enrollment status of the borrower;

4 “(B) the borrower's cost of attendance at
5 the institution as determined by the institution
6 under part F of title IV of the Higher Edu-
7 cation Act of 1965; and

8 “(C) the difference between the borrower's
9 cost of attendance and the borrower's estimated
10 financial assistance received under title IV of
11 the Higher Education Act of 1965 and other
12 assistance known to the institution.

Page 784, before line 1, insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

13 “(9) PROVISION OF INFORMATION.—On or be-
14 fore the date a creditor issues any funds with re-
15 spect to an extension of credit described in para-
16 graph (1), the creditor shall notify the relevant insti-
17 tution of higher education, in writing, of the amount
18 of the extension of credit and the student on whose
19 behalf credit is extended. The form of such written
20 notification shall be subject to the regulations of the
21 Board.

Page 785, line 10, strike “mortgage transaction,”
and insert “mortgage transaction (as those terms are de-
fined in section 103 this Act),”.